



# राजपत्र, हिमाचल प्रदेश

## हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

बुधवार, 10 मार्च, 2021 / 19 फाल्गुन, 1942

हिमाचल प्रदेश सरकार

OFFICE OF THE DISTRICT MAGISTRATE, LAHAUL & SPITI AT KEYLONG

ORDER

*Dated, the 1st February, 2021*

**No.D-157/61-Reader.**—Whereas with the opening of Atul Tunnel, Rohtang, the influx of tourists in the valley is on the rise and it is expected to increase exponentially during the upcoming tourist season.

And whereas the tourist entering the valley will also like to visit Triloknath Temple during their sojourn.

And whereas, the Width of the road from Zero point to Triloknath and further upto Udaipur is quite narrow and two way traffic on this stretch will amount to traffic snarl.

And whereas, Sub Divisional Magistrate, Udaipur has also recommended “One Way Traffic” on the aforesaid stretch in order to avoid inconvenience to the tourists as well as to the local residents.

And whereas, it is essential, vital and expedient for ensuring smooth flow of traffic through the aforesaid stretch, to prevent any kind of inconvenience to the tourists as well as to the local residents and in particular to the emergency vehicles like Ambulances and Fire Tenders.

Therefore, in exercise of the powers vested in me *vide* notification dated 3rd June, 2001 read with Section 1 IS of the Motor Vehicle Act, 1988, I, Pankaj Rai, IAS, District Magistrate, Lahaul & Spiti do hereby notify that the roads starting from Zero point to Triloknath and to Udaipur as No Parking Zone and same is also notified to be used as One Way Traffic for smooth flow of traffic from 9.00 AM to 9.00 PM with effect from 1st April to 30th November every year. The period with effect from 1st December to 31st March is exempted from the above said traffic regulations owing to low volume of traffic during this period. If any person (s) has/have objection in respect of this draft notification, they may file their written objections/suggestion in the office of undersigned within one month from the date of publication of this draft notification. The objection, if any received during this period will be considered by the undersigned and draft notification will be finalized accordingly. Further if no objection is received during the said period, the notification deemed to have been finalized.

This order shall apply to all vehicles excluding Ambulances/Fire Service Vehicle.

By order,  
Sd/-  
(PANKAJ RAI), IAS  
District Magistrate,  
Lahaul & Spiti at Keylong.

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**HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171001**

**NOTIFICATION**

*Shimla, the 30th December, 2020*

**No.HHC/Admn.6 (23)/74-XVII.**—Hon’ble the Chief Justice in exercise of the powers vested in him under Rule 2 (32) of Chapter 1 of H.P. Financial Rules, 2009 has been pleased to declare Additional District and Sessions Judge, Hamirpur, H.P. as Drawing and Disbursing Officer, in respect of the Court of District and Sessions Judge, Hamirpur, H.P. and also the Controlling Officer for the purpose of salary, T.A. etc. in respect of establishment attached to the aforesaid Court during earned leave period of Sh. Rakesh Kainthla, District and Sessions Judge, Hamirpur,

H.P. *w.e.f.* 11-01-2021 to 23-01-2021 with permission to prefix Sunday falling on 10.01.2021 and suffix Sunday & Gazetted holiday falling on 24-01-2021 & 25-01-2021 or untill he joins his duty.

By order,  
Sd/-  
*Registrar General.*

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**HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171001**

**NOTIFICATION**

*Shimla, the 2nd February, 2021*

**No.HHC/Admn.6 (23)/74-XVII.**—Hon'ble the Chief Justice in exercise of the powers vested in him under Rule 2 (32) of Chapter 1 of H.P. Financial Rules, 2009 has been pleased to declare Civil-*cum*-JMIC, Dalhousie, District Chamba, H.P. as Drawing and Disbursing Officer, in respect of the Courts of District and Sessions Judge, Chamba, Sr. Civil Judge-*cum*- CJM, Chamba, Civil Judge-*cum*-JMIC, Chamba, Civil Judge-*cum*-JMIC, Tissa, H.P. and also the Controlling Officer for the purpose of salary, T.A. etc. in respect of establishments attached to the aforesaid Courts *w.e.f.* 01-02-2021 to 05-02-2021 or till Sh. Umesh Verma, Civil Judge-*cum*-JMIC, Chamba, H.P. returns from leave.

By order,  
Sd/-  
*Registrar General.*

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**HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171001**

**NOTIFICATION**

*Shimla, the 2nd February, 2021*

**No.HHC/Admn.6 (24)/74-XI.**—The High Court of Himachal Pradesh, in exercise of the powers vested U/S 12(2) of the Code of Criminal Procedure, 1973, has been pleased to declare the Civil Judge-*cum*-JMIC, Dalhousie as Additional Chief Judicial Magistrate, Chamba to look after the urgent work pertaining to the Courts of District & Sessions Judge, Chamba and Additional District & Sessions Judge, Chamba *w.e.f.* 03-02-2021 to 5-2-2021 or till Sh. Umesh Verma, Civil Judge-*cum*-JMIC, Chamba returns from leave.

By order,  
Sd/-  
*Registrar General.*

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**HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171001****NOTIFICATION***Shimla, the 2nd February, 2021*

**No.HHC/Admn.6 (23)/74-XVII.**—Hon'ble the Chief Justice in exercise of the powers vested in him under Rule 2 (32) of Chapter 1 of H.P. Financial Rules, 2009 has been pleased to declare Sr. Civil Judge-*cum*-ACJM-I, Mandi, H.P. as Drawing and Disbursing Officer, in respect of the Court of Mobile Traffic Magistrate, Mandi & Kullu at Mandi, H.P. and also the Controlling Officer for the purpose of salary, T.A. etc. in respect of establishment attached to the aforesaid Court with immediate effect till the posting of new Presiding Officer in the said Court.

By order,  
Sd/-  
*Registrar General.*

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**HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171001****NOTIFICATION***Shimla, the 2nd January, 2021*

**No.HHC/Admn.16(13)74-X.**—The Hon'ble Chief Justice, in exercise of the powers vested in him U/S 139(b) of the Code of Civil Procedure, 1908, U/S 297(1) (b) of the Code of Criminal Procedure, 1973 and Rule 5(vi) of the H.P. Oath Commissioners (Appointment & Control) Rules, 2007 has been pleased to appoint Sh. Deepak Thakur (HIM/615/2018), Advocate, as Oath Commissioner at Rohru, Distt. Shimla, H.P. for a period of two years with immediate effect for administering oaths and affirmations on affidavits to the deponents under the aforesaid Codes and Rules.

By order,  
Sd/-  
*Registrar General.*

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**TOURISM & CIVIL AVIATION DEPARTMENT****NOTIFICATION***Shimla-02, the 3rd March, 2021*

**No.TSM-F(6)-3/2020.**—The Governor, Himachal Pradesh is pleased to constitute a Committee for providing report for development and Operation of Helicopter from Vashisht Helipad Manali, District Kullu, consisting of the following :—

- |  |                         |
|--|-------------------------|
| 1. Deputy Commissioner, Kullu                        | <i>Chairman</i>         |
| 2. Executive Engineer, Jal Shakti Vibhag, Kullu      | <i>Member</i>           |
| 3. Executive Engineer, HPPWD (Katrain-Manali)- Kullu | <i>Member</i>           |
| 4. Airport Director (Bhunter), Kullu                 | <i>Member</i>           |
| 5. Distt. Tourism Dev. Officer, Kullu                | <i>Member Secretary</i> |

The Committee will give its comments/recommendation on the following :—

- Whether the Vashisht Halipad could be used exclusively or not for Helicopter operation, as the said helipad is situated near River Beas.
- Usage Charge of Helipad.
- Repair/work required to be carried out at the helipad site, if any.

The committee will submit its report to this office within a week time.

By order,

DEVESH KUMAR,  
*Secretary (Tourism & CA).*

## LABOUR AND EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-2, the 2nd February, 2021*

**No: Shram(A) 6-2/2020 (Awards) Dharamshala.**—In exercise of the powers vested under section 17 (1) of the Industrial Disputes Act, 1947, the Governor Himachal Pradesh is pleased to order the publication of awards of the following cases announced by the Presiding Officer, Labour Court Dharamshala on the website of the Department of Labour & Employment Government of Himachal Pradesh:—

Sl. No.	Ref. No.	Petitioner	Respondent	Date of Award/Order
1.	46/20	Ravinder Singh	M/S Jagran Prakashan Kanpur, UP	02-12-2020
2.	822/16	Jaisi Ram	E.E. HPPWD, Nurpur & other	07-12-2020
3.	888/16	Sahib Singh	E.E. HPPWD, Nurpur & other	08-12-2020
4.	135/19	Uttam Chand	M/S Kailash Print Media Hamirpur	14-12-2020
5.	132/19	Vinod Kumar	- do -	14-12-2020

6.	136/19	Pankaj Kumar	- do -	14-12-2020
7.	138/19	Anuradha	- do -	14-12-2020
8.	131/19	Pooja Kumari	- do -	14-12-2020
9.	52/20	Shukla Devi	S.M.O.Civil Hospital Dehra& other	15-12-2020
10.	77/20	Chhabhi Ram	D.F.O. Suket, Distt. Mandi	17-12-2020
11.	466/16	Som Krishan Sharma	E.E. I&PH Karsog, Mandi	24-12-2020

By order,  
Kamlesh Kumar Pant, IAS,  
Principal Secretary (Lab. & Emp.).

IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-  
INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)

Ref No. : 46/2020

Date of Institution : 02.03.2020

Date of Decision : 02.12.2020

Shri Ravinder Singh Wasan s/o late Shri P.S. Wasan, r/o 43, Civil Lines, Dharamshala,  
Tehsil Dharamshala, District Kangra, H.P. ..Petitioner.

*Versus*

1. The Management of M/s Jagran Prakashan Ltd. Registered Office at Jagran Building 2,  
Sarvodaya Nagar, Kanpur (UP).

2. Chief General Manager, M/s Jagran Prakashan Ltd. Village Banoi, P.O. Rajol, Tehsil  
Shahpur, District Kangra, H.P. . Respondents.

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**

For the Petitioner : None for the petitioner

For the Respondent(s) : Sh. Santosh Kumar, Adv. Vice

**AWARD**

The reference given below has been received from the appropriate Government for  
adjudication:

Whether the claim submitted by Sh. Ravinder Singh Wasan S/o Late Sh. P.S. Wasan R/o  
43, Civil Lines, Dharamshala, Tehsil Dharamshala District Kangra, H.P. under Section  
17(1) of Working Journalists and Other News Paper Employees (Conditions to Service) and

Miscellaneous Provisions Act, 1955 amounting to Rs.20,37,958.00 is legal and justified. If not what amount of benefit of claim of the above employee is entitled to from the above employer.

2. The case was listed for appearance of the petitioner for today but, however, neither the petitioner nor his counsel has put in appearance before this Court, despite the case being called several times since morning. Hence, despite due notice of the date of hearing, the workman/petitioner has remained ex parte.

3. It will be apt at this stage to take note of the fact that this Labour Court has been constituted by the State Government under the Industrial Disputes Act, 1947. Section 17(2) of The Working Journalists and Other Newspaper Employees (Conditions and Service) and Miscellaneous Provisions Act, 1955 provides that the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act' for brevity sake) shall have effect in relation to the Labour Court as if the question so referred were a matter referred to the Labour Court for adjudication under that Act. Therefore, it is also relevant to take note of the provisions of the said Act. Section 2 (b) of the Act defines the Award as under—

“(b) ‘award’ means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under Section 10A;”.

4. Sub-Section (1) of Section 11 of the Act provides that subject to any rules that may be made in this behalf, an arbitrator, a Board, Court, Labour Court, Tribunal or National Tribunal shall follow such procedure as the arbitrator or other authority concerned may think it fit. The Central Government has framed rules called “The Industrial Disputes (Central) Rules, 1957.” Rule 10-B (9) reads thus:—

“10-B (9) In case any party defaults or fails to appear at any stage the Labour Court, Tribunal, or National Tribunal, as the case may be, may proceed with the reference ex-parte and decide the reference application in the absence of the defaulting party.”

5. Rule 22 reads thus:—

“Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.- If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented.”

6. The State of Himachal Pradesh has also framed rules called “The Industrial Disputes Rules, 1974.” Rule 25 thereof reads thus:—

“Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.- If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented.”

7. Rule 22 of the Industrial Disputes (Central) Rules, 1957 and Rule 25 of the Industrial Disputes Rules, 1974 authorize the adjudicating authority to proceed in the absence of a party. It creates a fiction which enables the Court to presume that all the parties are present before it

although, infact, it is not true, and thus make an ex parte award. This Court in these circumstances has to imagine that the absentee newspaper employee is present and having done so, can give full effect to its imagination and carry it to its logical end. Under Rule 25, this Court, thus, has to imagine that the newspaper employee is present, he is unwilling to file the statement of claim, adduce evidence or argue his case.

8. In the instant case, neither the newspaper employee nor his counsel has put in appearance before this Court today. In these circumstances, the Court can proceed and pass ex parte award on its merits.

9. As per the reference, it was required of the petitioner to plead and prove on record that an amount of Rs.20,37,958/- was due to him under the Working Journalists and Other Newspaper Employees (Conditions and Service) and Miscellaneous Provisions Act, 1955 from his employer i.e. the respondents. However, there is neither any pleading nor any evidence to this effect on record on the part of the petitioner/newspaper employee. At the risk of repetition the petitioner/newspaper employee has not put in appearance before this Court. In this view of the matter, the petitioner/newspaper employee is not entitled to any benefit, as claimed by him. Accordingly, this reference is answered in the negative. Parties to bear their own costs.

10. The reference is answered in the aforesaid terms.

11. A copy of this Award be sent to the appropriate Government for further necessary action at its end. Announced in the open Court today this 2nd day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,  
Labour Court-cum-Industrial  
Tribunal, Kangra at Dharamshala, H.P.*

IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-  
INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)

Ref. No. : 822/2016

Date of Institution : 24.11.2016

Date of Decision : 07.12.2020

Shri Jaisi Ram s/o Shri Minku Ram, r/o Village Dhaneti Charuian, Tehsil Nurpur, District Kangra, H.P. . .Petitioner.

*Versus*

1. The Executive Engineer, H.P.P.W.D. Division, Nurpur, District Kangra, H.P.

2. The Executive Engineer, H.P.P.W.D. Division, Jawali, District Kangra, H.P.  
..Respondents.

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**



For the LR's of deceased Petitioner : Sh. Mukul Vaid, Adv. Vice

For the Respondent(s) : Sh. Gaurav Keshav, ADA

### AWARD

Material facts necessary for the adjudication of this reference are that the deceased workman Shri Jaisi Ram was engaged as a daily waged beldar in the year 1981 by the respondents. He was terminated by the respondents in the year 1990. He issued a demand notice. State government after the receipt of the failure report from the Conciliation Officer made the following reference to this Court:—

“Whether the alleged termination of services of Shri Jaisi Ram S/O Shri Minku Ram, R/O Village Dhaneti Charuian, Tehsil Nurpur, Distt. Kangra, H.P., by (1) the Executive Engineer, H.P.P.W.D. Jawali, District Kangra, H.P., and (2) the Executive Engineer, HPPWD Nurpur, Distt. Kangra, H.P. who had worked on daily wages basis as beldar and has raised his industrial dispute after about 20 years *vide* demand notice dated nil received in the office of Labour Officer Kangra at Dharamshala on 13-06-2011, without complying the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, keeping in view delay of about 20 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers/management?”

2. Before a clarification of the date of termination and an application for corrigendum to the Labour Commissioner could be filed, the workman Shri Jaisi Ram expired on 26.12.2018 (copies of death certificate and family register annexed). Notices were issued to the legal representatives of the deceased workman.

3. Despite seeking various adjournments, the legal representatives of the deceased workman had failed to file an application under Order 22 Rule 3 of the Code of Civil Procedure for bringing themselves on record instead of the deceased workman.

4. It is an admitted case of the parties that the workman Shri Jaisi Ram had expired on 26.12.2018.

5. It was contended by the learned Assistant District Attorney for the respondents that this reference has abated as no application for bringing on record the legal representatives of the deceased workman has been filed.

6. Under Order 22 Rule 3 (1) of the Code of Civil Procedure where the sole petitioner dies and the right to sue survives, the Court, on an application made in that behalf, shall cause the legal representatives of the deceased petitioner to be made a party and shall proceed with the reference. Article 120 of the Limitation Act, 1963 provides that under the Code of Civil Procedure, to have the legal representatives of the deceased petitioner made a party, the application ought to be filed within ninety days from the date of death of the petitioner. Order 22 Rule 3 (2) of the Code of Civil Procedure specifically provides that where within the time limited by law no application is made under sub-rule (1) the reference shall abate as far as the deceased petitioner is concerned. Admittedly, the workman Shri Jaisi Ram had died on 26.12.2018. Indisputably, no application for bringing on record his legal representatives has been filed within the limitation period. In this view of the matter, the present reference stands abated. Even otherwise, it was required to be pleaded and proved on record that the termination of the services of the deceased petitioner in the year 1990 (as per the statement of claim) by the respondents was without complying with the provisions of the

Industrial Disputes Act, 1947 and, thus, illegal and unjustified. Although, it has been specifically pleaded in the statement of claim that the termination of the services of the deceased petitioner in the year 1990 by the respondents was illegal and unjustified, but the same has remained a mere saying on record. There is no grain of evidence to this effect on record on the part of the legal representatives of the deceased workman. So, this reference is answered in the negative. Parties to bear their own costs.

7. The reference is answered in the aforesaid terms.

8. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 7th day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,*  
*Labour Court-cum-Industrial*  
*Tribunal, Kangra at Dharamshala, H.P.*

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**IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)**

Ref. No. : 888/2016

Date of Institution : 24.12.2016

Date of Decision : 08.12.2020

Shri Sahib Singh s/o Shri Garib Dass, r/o Village Samula, P.O. Sadwan, Tehsil Nurpur, District Kangra, H.P. Through their legal representatives, namely, Smt. Nirmla Devi (wife), Smt. Shubh Lata, Miss Hem Lata, Miss Shivani (daughters) and Master Karan Kumar (son).

*. . .Petitioners.*

*Versus*

1. The Executive Engineer, H.P.P.W.D. Division, Nurpur, District Kangra, H.P.

2. The Executive Engineer, H.P.P.W.D. Division, Jawali, District Kangra, H.P.

*. . . Respondents.*

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**

For the Petitioners : None for the petitioners

For the Respondent(s) : Sh. Gaurav Keshav, ADA

**AWARD**

The reference given below has been received from the appropriate Government for adjudication:

“Whether the alleged termination of services of Shri Sahib Singh S/O Shri Garib Dass, R/O Village Samula, P.O. Sadwan, Tehsil Nurpur, District Kangra, H.P. during year, 1990 by (i) the Executive Engineer, H.P.P.W.D., Division, Nurpur, District Kangra, H.P. (ii) the Executive Engineer, H.P.P.W.D., Division Jawali, District Kangra, H.P., who had worked on daily wages as beldar and has raised his industrial dispute after about 21 years *vide* demand notice dated nil received in the Labour Office Kangra at Dharamshala on 13-06-2011, without complying the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, keeping in view delay of about 21 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers/management?”

2. Before a statement of claim could be filed by the workman Shri Sahib Singh, he expired on 25.5.2017 (death certificate annexed). Notices were issued to the legal representatives of the deceased workman.

3. An application had been preferred under Order 22 Rule 3 & 9 of the Code of Civil Procedure for bringing on record the legal representatives of deceased workman Shri Sahib Singh. It was allowed by the learned predecessor-in-office of mine *vide* order dated 03.11.2018 and accordingly the legal representatives of the deceased workman Shri Sahib Singh were ordered to be arrayed as the petitioners in the case.

4. Today the case was listed for appearance of the petitioners but, however, neither the petitioners nor their counsel had put in appearance before this Tribunal, despite the case being called several times since morning. Hence, despite due notice of the date of hearing the petitioners had remained *ex parte*.

5. It will be apt at this stage to take note of the relevant provisions of the Industrial Disputes Act, 1947 (hereinafter referred to as ‘the Act’ for brevity sake). Section 2 (b) of the Act defines the Award as under:—

“(b) “award” means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under Section 10A;”

6. Sub-Section (1) of Section 11 of the Act provides that subject to any rules that may be made in this behalf, an arbitrator, a Board, Court, Labour Court, Tribunal or National Tribunal shall follow such procedure as the arbitrator or other authority concerned may think it fit. The Central Government has framed rules called “The Industrial Disputes (Central) Rules, 1957.” Rule 10-B (9) reads thus:—

“10-B (9) In case any party defaults or fails to appear at any stage the Labour Court, Tribunal, or National Tribunal, as the case may be, may proceed with the reference *ex-parte* and decide the reference application in the absence of the defaulting party.”

7. Rule 22 reads thus:—

“Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed *ex-parte*.- If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be

represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented.”

8. The State of Himachal Pradesh has also framed rules called

“The Industrial Disputes Rules, 1974.” Rule 25 thereof reads thus:—

“Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.- If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented.”

9. Rule 22 of the Industrial Disputes (Central) Rules, 1957 and Rule 25 of the Industrial Disputes Rules, 1974 authorize the adjudicating authority to proceed in the absence of a party. It creates a fiction which enables the Tribunal to presume that all the parties are present before it although, infact, it is not true, and thus make an ex parte award. This Tribunal in these circumstances has to imagine that the absentee workman is present and having done so, can give full effect to its imagination and carry it to its logical end. Under Rule 25, this Tribunal, thus, has to imagine that the petitioners are present, they are unwilling to file the statement of claim, adduce evidence or argue their case.

10. In the instant case, neither the petitioners nor their counsel has put in appearance before this Tribunal today. In these circumstances, the Tribunal can proceed and pass ex parte award on its merits.

11. As per the reference, it was required of the petitioners to plead and prove on record that the termination of the services of the deceased workman, namely, Shri Sahib Singh in the year 1990 by the respondents was without complying with the provisions of the Act and, thus, illegal and unjustified. However, there is neither any pleading nor any evidence to this effect on record on the part of the petitioners. At the risk of repetition the petitioners had not put in appearance before this Tribunal. In this view of the matter, the petitioners are not entitled to any relief. Accordingly, this reference is answered in the negative. Parties to bear their own costs.

12. The reference is answered in the aforesaid terms.

13. A copy of this Award be sent to the appropriate Government for publication in the official gazette and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 8th day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,*  
*Labour Court-cum-Industrial,*  
*Tribunal, Kangra at Dharamshala, H.P.*

**IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)**

Ref. No. : 135/2019

Date of Institution : 15.11.2019

Date of Decision : 14.12.2020

Shri Uttam Chand s/o Shri Bhagat Ram, r/o VPO Dhanag, Tehsil Baijnath, District Kangra,  
H.P. . .Petitioner.

*Versus*

M/s Kailash Print Media Pvt. Ltd., Village Sasan, P.O. Jhanyari, Tehsil & District  
Hamirpur, H.P. . .Respondent.

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**

For the Petitioner : Sh. Ravinder Aggarwal, AR

For the Respondent : Sh. Anand Sharma, Adv.

**AWARD**

The reference given below has been received from the appropriate Government for adjudication:

“Whether the claim of Sh. Uttam Chand S/O Sh. Bhagat Ram, R/O VPO Dhanag, Tehsil Baijnath, District Kangra, H.P. for the recovery of the amount due to him on account of his pending wages for 5 months amounting to Rs.85,000/-, Earned leave amounting to Rs.25,500/- and retrenchment compensation amounting to Rs.25,500/- from M/s Kailash Print Media Pvt. Ltd. having its office at Vill. Sasan PO Jhanyari Tehsil and Distt. Hamirpur H.P. is justified? If yes, to what amount of pending wages, earned leave and retrenchment compensation along with interest or compensation, he is entitled to?”

2. In view of the office order dated 09.12.2020, the file taken up today for effective hearing. However, learned Authorized Representative Shri Ravinder Aggarwal for the petitioner has made the below given statement in the Court today:—

“ब्यान किया कि वादी ने मुझे सूचित किया है कि उसका प्रतिवादी से पैसे के लेन-देन से सम्बन्धित समझौता हो गया है और उसे प्रतिवादी ने रकम का चैक (post dated) दे दिया है। मैं वादी की सूचना के अनुसार यह Ref. No.135/19 को वापिस लेता हूँ। इसे दाखिल दफ्तर किया जावे।”

RO&AC  
Sd/-

PJ  
Sd/-

3. In view of the above statement, this reference/claim petition is withdrawn as compromised. Parties to bear their own costs.

4. The reference is answered in the aforesaid terms.

5. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 14th day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,*  
*Labour Court-cum-Industrial Tribunal,*  
*Kangra at Dharamshala, H.P.*

**IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)**

Ref. No. : 132/2019

Date of Institution : 15.11.2019

Date of Decision : 14.12.2020

Shri Vinod Kumar s/o Shri Prem Chand, r/o Village Kuriah, P.O. Nara, Tehsil Barsar, District Hamirpur, H.P. . .*Petitioner.*

*Versus*

M/s Kailash Print Media Pvt. Ltd., Village Sasan, P.O. Jhanyari, Tehsil & District Hamirpur, H.P. . .*Respondent.*

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**

For the Petitioner : Sh. Ravinder Aggarwal, AR

For the Respondent : Sh. Anand Sharma, Adv.

**AWARD**

The reference given below has been received from the appropriate Government for adjudication:

“Whether the claim of Sh. Vinod Kumar S/O Sh. Prem Chand, R/O Village Kuriah, PO Nara, Tehsil Barsar, District Hamirpur, H.P. for the recovery of the amount due to him on account of his pending wages for 5 months amounting to Rs.1,05,000/-, Earned leave amounting to Rs.25,500/-, Retrenchment Compensation amounting to Rs.21,000/- and Notice Pay amounting to Rs.21,000/- from M/s. Kailash Print Media Pvt. Ltd. having its office at Vill. Sasan PO Jhanyari Tehsil and Distt. Hamirpur, H.P. is justified? If yes, to what amount of pending wages, earned leave, retrenchment compensation and notice pay along with interest or compensation, he is entitled to?”

2. In view of the office order dated 09.12.2020, the file taken up today for effective hearing. However, learned Authorized Representative Shri Ravinder Aggarwal for the petitioner has made the below given statement in the Court today:—

“ब्यान किया कि वादी ने मुझे सूचित किया है कि उसका प्रतिवादी से पैसे के लेन—देन से सम्बन्धित समझौता हो गया है और उसे प्रतिवादी ने रकम का चेक (post dated) दे दिया है। मैं वादी की सूचना के अनुसार यह Ref. No.132/19 को वापिस लेता हूँ। इसे दाखिल दफ्तर किया जावे।”

RO&amp;AC

PJ

Sd/-

Sd/-

3. In view of the above statement, this reference/claim petition is withdrawn as compromised. Parties to bear their own costs.

4. The reference is answered in the aforesaid terms.

5. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 14th day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,*  
*Labour Court-cum-Industrial Tribunal,*  
*Kangra at Dharamshala, H.P.*

---

**IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)**

Ref. No. : 136/2019

Date of Institution : 15.11.2019

Date of Decision : 14.12.2020

Shri Pankaj Kumar s/o Shri Pritam Chand, r/o Village Kothi, P.O. Town Bharari Devi, Tehsil and District Hamirpur, H.P. . .Petitioner.

*Versus*

M/s Kailash Print Media Pvt. Ltd., Village Sasan, P.O. Jhanyari, Tehsil & District Hamirpur, H.P. . .Respondent.

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**

For the Petitioner

: Sh. Ravinder Aggarwal, AR

For the Respondent

: Sh. Anand Sharma, Adv.

## AWARD

The reference given below has been received from the appropriate Government for adjudication:

“Whether the claim of Sh. Pankaj Kumar S/O Sh. Pritam Chand, R/O Village Kothi, PO Town Bharari Devi, Tehsil and District Hamirpur, H.P. for the recovery of the amount due to him on account of his pending wages for 5 months amounting to Rs.85,000/-, Earned leave amounting to Rs.25,500/-, Retrenchment Compensation amounting to Rs.25,500/- and Notice Pay amounting to Rs.17,000/- from M/s. Kailash Print Media Pvt. Ltd. having its office at Vill. Sasan PO. Jhanyari Tehsil and District Hamirpur H.P. is justified? If yes, to what amount of pending wages, earned leave, retrenchment compensation and notice pay along with interest or compensation, he is entitled to?”

2. In view of the office order dated 09.12.2020, the file taken up today for effective hearing. However, learned Authorized Representative Shri Ravinder Aggarwal for the petitioner has made the below given statement in the Court today:—

“ब्यान किया कि वादी ने मुझे सूचित किया है कि उसका प्रतिवादी से पैसे के लेन-देन से सम्बन्धित समझौता हो गया है और उसे प्रतिवादी ने रकम का चेक (post dated) दे दिया है। मैं वादी की सूचना के अनुसार यह Ref. No.136/19 को वापिस लेता हूँ। इसे दाखिल दफ्तर किया जावे।”

RO&amp;AC

PJ

Sd/-

Sd/-

3. In view of the above statement, this reference/claim petition is withdrawn as compromised. Parties to bear their own costs.

4. The reference is answered in the aforesaid terms.

5. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 14th day of December, 2020.

Sd/-

(YOGESH JASWAL)

Presiding Judge,

Labour Court-cum-Industrial Tribunal,

Kangra at Dharamshala, H.P.



## IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)

Ref. No. : 138/2019

Date of Institution : 15.11.2019

Date of Decision : 14.12.2020

Miss Anuradha d/o Shri Baldev Dass, r/o Village Dehan, P.O. Jabloo, Tehsil Jhandutta, District Bilaspur, H.P. . .Petitioner.

*Versus*

M/s Kailash Print Media Pvt. Ltd., Village Sasan, P.O. Jhanyari, Tehsil & District Hamirpur, H.P. . .Respondent.

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**

For the Petitioner : Sh. Ravinder Aggarwal, AR

For the Respondent : Sh. Anand Sharma, Adv.

**AWARD**

The reference given below has been received from the appropriate Government for adjudication:

“Whether the claim of Miss Anuradha D/O Sh. Baldev Dass, R/O Village Dehan, PO Jabloo, Tehsil Jhandutta, District Bilaspur, H.P. for the recovery of the amount due to her on account of her pending wages for 4 months amounting to Rs.32,000/-, Earned leave amounting to Rs.25,500/-, Retrenchment Compensation amounting to Rs.8,500/- and Notice Pay amounting to Rs.8,000/- from M/s. Kailash Print Media Pvt. Ltd. having its office at Vill. Sasan PO Jhanyari Tehsil and Distt. Hamirpur H.P. is justified? If yes, to what amount of pending wages, earned leave, retrenchment compensation and notice pay along with interest or compensation, she is entitled to?”

2. In view of the office order dated 09.12.2020, the file taken up today for effective hearing. However, learned Authorized Representative Shri Ravinder Aggarwal for the petitioner has made the below given statement in the Court today:—

“ब्यान किया कि वादिनी ने मुझे सूचित किया है कि उसका प्रतिवादी से पैसे के लेन-देन से सम्बन्धित समझौता हो गया है और उसे प्रतिवादी ने रकम का चैक (post dated) दे दिया है। मैं वादिनी की सूचना के अनुसार यह Ref. No.138/19 को वापिस लेता हूँ। इसे दाखिल दफ्तर किया जावे।”

RO&amp;AC

PJ

Sd/-

Sd/-

3. In view of the above statement, this reference/claim petition is withdrawn as compromised. Parties to bear their own costs.

4. The reference is answered in the aforesaid terms.

5. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 14th day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,*  
*Labour Court-cum-Industrial Tribunal,*  
*Kangra at Dharamshala, H.P.*

IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-  
INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)

Ref. No. : 131/2019

Date of Institution : 15.11.2019

Date of Decision : 14.12.2020

Smt. Pooja Kumari w/o Shri Pankaj Chouhan, r/o Village Tikru, P.O. Sanghole, Tehsil  
Jaisinghpur, District Kangra, H.P. . *Petitioner.*

*Versus*

M/s Kailash Print Media Pvt. Ltd., Village Sasan, P.O. Jhanyari, Tehsil & District  
Hamirpur, H.P. . *Respondent.*

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**

For the Petitioner : Sh. Ravinder Aggarwal, AR

For the Respondent : Sh. Anand Sharma, Adv.

**AWARD**

The reference given below has been received from the appropriate Government for adjudication:

“Whether the claim of Smt. Pooja Kumari W/O Sh. Pankaj Chouhan, R/O Village Tikru, PO Sanghole, Tehsil Jaisinghpur, District Kangra, H.P. for the recovery of the amount due to her on account of her pending wages for 4 months amounting to Rs.34,000/- and Earned leave amounting to Rs.25,500/- from M/s. Kailash Print Media Pvt. Ltd. having its office at

Vill. Sasan PO Jhanyari Tehsil and Distt. Hamirpur, H.P. is justified? If yes, to what amount of pending wages and earned leave along with interest or compensation, she is entitled to?"

2. In view of the office order dated 09.12.2020, the file taken up today for effective hearing. However, learned Authorized Representative Shri Ravinder Aggarwal for the petitioner has made the below given statement in the Court today:—

“ब्यान किया कि वादिनी ने मुझे सूचित किया है कि उसका प्रतिवादी से पैसे के लेन—देन से सम्बन्धित समझौता हो गया है और उसे प्रतिवादी ने रकम का चैक (post dated) दे दिया है। मैं वादिनी की सूचना के अनुसार यह Ref. No.131/19 को वापिस लेता हूँ। इसे दाखिल दफ्तर किया जावे।”

RO&AC

PJ

Sd/-

Sd/-

3. In view of the above statement, this reference/claim petition is withdrawn as compromised. Parties to bear their own costs.

4. The reference is answered in the aforesaid terms.

5. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 14th day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,*  
*Labour Court-cum-Industrial Tribunal,*  
*Kangra at Dharamshala, H.P.*

---

**IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)**

Ref No. : 52/2020

Date of Institution : 08.09.2020

Date of Decision : 15.12.2020

Smt. Shukla Devi w/o Shri Pratap Chand, r/o Ward No. 03, Dehra, P.O. & Tehsil Dehra, District Kangra, H.P. . .Petitioner.

*Versus*

1. The Senior Medical Officer, Civil Hospital, Dehra, District Kangra, H.P.

2. Shri Raj Kumar, Sanitary Contractor, M/s Maharishi Enterprises, c/o Medical Officer, Civil Hospital, Dehra, Tehsil Dehra, District Kangra, H.P. (H/O Near Civil Hospital Dehra, Tehsil Dehra, District Kangra, H.P.) . .Respondents.

### Reference under Section 10 (1) of the Industrial Disputes Act, 1947

For the Petitioner : None for the petitioner  
 For Respondent No.1 : Sh. Gaurav Keshav, ADA  
 For Respondent No.2 : Sh. Rajat Chaudhary, Adv.

### AWARD

The reference given below has been received from the appropriate Government for adjudication:

"Whether termination of services of Smt. Shukla Devi W/O Shri Pratap Chand, R/O Ward No.03, Dehra, P.O & Tehsil Dehra, District Kangra, H.P. w.e.f. 31-05-2020 by (i) The Senior Medical Officer, Civil Hospital, Dehra, District Kangra, H.P. (ii) Shri Raj Kumar, Sanitary Contractor, M/S Maharishi Enterprises C/O Medical Officer, Civil Hospital, Dehra, Tehsil Dehra, District Kangra, H.P. (H/O Near Civil Hospital Dehra, Tehsil Dehra, District Kangra, H.P.), without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?"

2. The case was listed for appearance of the petitioner for today but, however, neither the petitioner nor her counsel had put in appearance before this Tribunal, despite the case being called several times since morning. Hence, despite due notice of the date of hearing, the workman/petitioner had remained ex parte.

3. It will be apt at this stage to take note of the relevant provisions of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act' for brevity sake). Section 2 (b) of the Act defines the Award as under:—

“(b) “award” means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under Section 10A;”.

4 Sub-Section (1) of Section 11 of the Act provides that subject to any rules that may be made in this behalf, an arbitrator, a Board, Court, Labour Court, Tribunal or National Tribunal shall follow such procedure as the arbitrator or other authority concerned may think it fit. The Central Government has framed rules called “The Industrial Disputes (Central) Rules, 1957.” Rule 10-B (9) reads thus:—

“10-B (9) In case any party defaults or fails to appear at any stage the Labour Court, Tribunal, or National Tribunal, as the case may be, may proceed with the reference ex-parte and decide the reference application in the absence of the defaulting party.”

5. Rule 22 reads thus:—

“Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.- If without sufficient cause being shown, any party to the proceeding before a Board,

Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented.”

6. The State of Himachal Pradesh has also framed rules called “The Industrial Disputes Rules, 1974.” Rule 25 thereof reads thus:—

“Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.- If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented.”

7. Rule 22 of the Industrial Disputes (Central) Rules, 1957 and Rule 25 of the Industrial Disputes Rules, 1974 authorize the adjudicating authority to proceed in the absence of a party. It creates a fiction which enables the Tribunal to presume that all the parties are present before it although, in fact, it is not true, and thus make an ex parte award. This Tribunal in these circumstances has to imagine that the absentee workman is present and having done so, can give full effect to its imagination and carry it to its logical end. Under Rule 25, this Tribunal, thus, has to imagine that the workman is present, he is unwilling to file the statement of claim, adduce evidence or argue his case.

8. In the instant case, neither the workman nor her counsel has put in appearance before this Tribunal today. In these circumstances, the Tribunal can proceed and pass ex parte award on its merits.

9. As per the reference, it was required of the petitioner to plead and prove on record that the termination of her services *w.e.f.* 31.5.2020 by the respondents was without complying with the provisions of the Act and, thus, illegal and unjustified. However, there is neither any pleading nor any evidence to this effect on record on the part of the petitioner/workman. At the risk of repetition the petitioner/workman had not put in appearance before this Tribunal. In this view of the matter, the petitioner is not entitled to any back wages, seniority, past service benefits and compensation. Accordingly, this reference is answered in the negative. Parties to bear their own costs.

10. The reference is answered in the aforesaid terms.

11. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 15th day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,*  
*Labour Court-cum-Industrial*  
*Tribunal, Kangra at Dharamshala, H.P.*

**IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)**

Ref. No. : 77/2020

Date of Institution : 10.09.2020

Date of Decision : 17.12.2020

Shri Chhabhi Ram s/o Shri Jagat Ram, r/o Village Khalout, P.O. Brokhari, Tehsil Nihari, District Mandi, H.P. . . *Petitioner.*

*Versus*

The Divisional Forest Officer, Suket Forest Division, Sunder Nagar, District Mandi, H.P. . . *Respondent.*

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**

For the Petitioner : None for the petitioner

For Respondent : Sh. Gaurav Keshav, ADA

**AWARD**

The reference given below has been received from the appropriate Government for adjudication:

“Whether time to time termination of services of Shri Chhabhi Ram S/O Shri Jagat Ram, R/O Village Khalout, P.O. Brokhari, Tehsil Nihari, District Mandi, H.P. during June, 2004 to February, 2018 and final termination during March, 2018 (as alleged by the workman) by the Divisional Forest Officer, Suket Forest Division, Sunder Nagar, District Mandi, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

2. The case was listed for appearance of the petitioner for today but, however, neither the petitioner nor his counsel had put in appearance before this Tribunal, despite the case being called several times since morning. Hence, despite due notice of the date of hearing, the workman/petitioner had remained ex parte.

3. It will be apt at this stage to take note of the relevant provisions of the Industrial Disputes Act, 1947 (hereinafter referred to as ‘the Act’ for brevity sake). Section 2 (b) of the Act defines the Award as under:—

“(b) “award” means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under Section 10A;”.

4. Sub-Section (1) of Section 11 of the Act provides that subject to any rules that may be made in this behalf, an arbitrator, a Board, Court, Labour Court, Tribunal or National Tribunal shall follow such procedure as the arbitrator or other authority concerned may think it fit. The Central

Government has framed rules called "The Industrial Disputes (Central) Rules, 1957." Rule 10-B (9) reads thus:—

"10-B (9) In case any party defaults or fails to appear at any stage the Labour Court, Tribunal, or National Tribunal, as the case may be, may proceed with the reference ex-parte and decide the reference application in the absence of the defaulting party."

5. Rule 22 reads thus:—

"Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.- If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented."

6. The State of Himachal Pradesh has also framed rules called "The Industrial Disputes Rules, 1974." Rule 25 thereof reads thus:—

"Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.- If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented."

7. Rule 22 of the Industrial Disputes (Central) Rules, 1957 and Rule 25 of the Industrial Disputes Rules, 1974 authorize the adjudicating authority to proceed in the absence of a party. It creates a fiction which enables the Tribunal to presume that all the parties are present before it although, in fact, it is not true, and thus make an ex parte award. This Tribunal in these circumstances has to imagine that the absentee workman is present and having done so, can give full effect to its imagination and carry it to its logical end. Under Rule 25, this Tribunal, thus, has to imagine that the workman is present, he is unwilling to file the statement of claim, adduce evidence or argue his case.

8. In the instant case, neither the workman nor his counsel has put in appearance before this Tribunal today. In these circumstances, the Tribunal can proceed and pass ex parte award on its merits.

9. As per the reference, it was required of the petitioner to plead and prove on record that time to time termination during June, 2004 to February, 2018 and final termination of his services in March, 2018 by the respondent was without complying with the provisions of the Act and, thus, illegal and unjustified. However, there is neither any pleading nor any evidence to this effect on record on the part of the petitioner/workman. At the risk of repetition the petitioner/workman had not put in appearance before this Tribunal. In this view of the matter, the petitioner is not entitled to any back wages, seniority, past service benefits and compensation. Accordingly, this reference is answered in the negative. Parties to bear their own costs.

10. The reference is answered in the aforesaid terms.

11. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 17th day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,*  
*Labour Court-cum-Industrial,*  
*Tribunal, Kangra at Dharamshala, H.P.*

**IN THE COURT OF YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (HP)**

Ref No. : 466/2016

Date of Institution : 20.8.2016

Date of Decision : 24.12.2020

Shri Som Krishan Sharma s/o Late Shri Khub Ram, r/o Village Marola, P.O. Khira, Tehsil Karsog, District Mandi, H.P. . *Petitioner.*

*Versus*

The Executive Engineer, I&PH Division, Karsog, District Mandi, H.P. . *Respondent.*

**Reference under Section 10 (1) of the Industrial Disputes Act, 1947**

For the Petitioner : Miss Anjali, Adv.

For the respondent : Sh. Gaurav Keshav, ADA

**AWARD**

The below given reference has been received from the appropriate Government for adjudication:

“Whether alleged termination of the services of Shri Som Krishan Sharma S/O Late Shri Khub Ram, R/O Village Marola, P.O. Khira, Tehsil Karsog, District Mandi, H.P. w.e.f. 01-08-1991 by and the Executive Engineer, I.&P.H. Division, Karsog, District Mandi, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by workman, is legal and justified; whereas he has raised the industrial dispute vide demand notice dated 01- 10-2013 after lapse of more than 22 years. If not, keeping in view delay of more than 22 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above exworker is entitled to from the above employer?”

2. In furtherance to the reference it is averred by the petitioner in the statement of claim that his services were initially engaged by the respondent as a daily rated beldar w.e.f. 01.01.1987. He had worked to the satisfaction of his superiors and his act and conduct had always been appreciated. He had worked continuously without any breaks and had completed 240 days or more



in each calendar year. His services were orally terminated by the respondent w.e.f. 31.12.1993. No notice under Sections 25-F and 25-N of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act' for short) had been served upon him nor he was paid any retrenchment compensation. Persons junior to him, namely, Shri Ghanshyam and Shri Tota Ram were retained and their services have been regularized by the respondent. Despite various requests made by the petitioner, only assurances were given to him by the respondent that as and when the work would be available, he be called/engaged. New/fresh hands had also been engaged by the respondent but the claim of the petitioner was not considered. The respondent had also violated the provisions of Sections 25-G and 25-H of the Act. The act of the respondent was illegal, arbitrary and unconstitutional and against the mandatory provisions of law. The respondent had not adhered to the principle of audi aleram partem as no opportunity of being heard was afforded to him. After his termination, he was not gainfully employed so he is entitled for full back wages. The respondent had adopted the policy of hire and fire as well as pick and chose method. Hence, it was prayed that the petitioner be reengaged with all consequential benefits.

3. On notice, the respondent appeared and filed a reply taking preliminary objections regarding lack of maintainability and that the petition was bad on the ground of delay and laches. The contents of the petition were denied on merits. It is averred that the petitioner was engaged as a daily waged beldar in the year 1988 and he had only worked for 78 days till November, 1988. Thereafter, he had left the work of his own accord. He then had worked for 22 days in July, 1991 and had again left the work of his own sweet will. His services were never terminated by the respondent. He has not completed 240 days in the preceding twelve calendar months. The petitioner had worked intermittently for 78 days from the month of January, 1988 to November, 1988 and for 22 days in the year 1991. As the petitioner had not worked in the year 1993, the question of asking him not to report on duty by the respondent w.e.f. 31.12.1993 does not arise. It is denied that juniors to him were engaged and retained by the respondent. Shri Ghanshyam and Shri Tota Ram are not juniors to the petitioner. They were also engaged by the respondent in the year 1988. The petitioner had raised his demand notice after a lapse of 23 years without any explanation. The respondent has not violated the provisions of Sections 25-G and 25-H of the Act. The petitioner is gainfully employed as an agriculturist. Hence, it is prayed that the petition be dismissed.

4. While filing the rejoinder the petitioner controverted the averments made in the reply and reiterated those in the statement of claim.

5. Out of the pleadings of the parties, the following issues were settled for determination and adjudication by this Tribunal vide order dated 03.5.2018:

1. Whether termination of the services of petitioner by the respondent w.e.f. 01-08-1991 is/was illegal and unjustified as alleged? . . .*OPP.*
  2. If issue no.1 is proved in affirmative, to what service benefits the petitioner is entitled to? . . .*OPP.*
  3. Whether the claim petition is not maintainable in the present form as alleged? . . .*OPR.*
  4. Whether the claim petition is bad on the ground of delay and laches as alleged? . . .*OPR.*
- Relief.

6. Thereafter, evidence was led by the parties to the lis in support of the issues so framed.

7. Arguments of the learned vice counsel for the petitioner and the learned Assistant District Attorney for the respondent heard and records gone through.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:

Issue No.1	: Negative
Issue No.2	: Negative
Issue No.3	: Negative
Issue No.4	: Negative
Relief.	: Claim petition dismissed vide operative portion of the Award.

#### REASONS FOR FINDINGS

##### ISSUES No.1 and 2

9. Both these issues are intrinsically connected with each other and required common appreciation of evidence, hence are taken together for the purpose of determination and adjudication.

10. The petitioner, namely, Shri Som Krishan Sharma examined himself as PW1 and filed his affidavit in evidence, which is exhibited as Ex. PW1/A. In his affidavit, he reiterated the contents of his statement of claim. He also filed documents purportedly in support of his claim which are exhibited as Ex. PW1/B to Ex. PW1/G.

In the cross-examination, he stated that he had worked as a helper from the year 1987 upto the year 1993 in the department. He denied that he had only worked for 78 days in the years 1987-88. He also denied that thereafter he had left the job. Volunteered that, he was removed from work. He had worked after the year 1991 in the department. However, he is not aware for how many days he had worked. He denied that he had only worked for 100 days from the year 1987 upto the year 1991. He feigned ignorance that he had never worked for 240 days or more. However, he had admitted that there is no document on the file which could prove that he had worked for 240 days or more. He was never removed from work in writing by the department. He admitted that he had raised the demand notice in the year 2013. He owns land which he cultivates. He denied that Tota Ram and Ghanshyam were engaged earlier to him by the department. He admitted that he had not worked in the department after the year 1991. Self stated that he had worked upto the year 1993. He denied that he has given a phoney statement.

11. The petitioner has examined one Shri Dhani Ram as PW2, who filed his affidavit in evidence, which is exhibited as Ex. PW2/A. In the cross-examination, he stated that he has retired from the I&PH department. He was engaged as a mate by the department in the year 1987. The petitioner had worked with him in the year 1988. He feigned ignorance that the petitioner had only worked for 100 days from the year 1987 upto the year 1991. He was also not aware that the petitioner had never worked for 240 days or more.

12. Conversely, Shri Ashok Kumar Bhopal, Executive Engineer, I&PH Division, Karsog (respondent) testified as RW1. In his affidavit Ex. RW1/A preferred as per Order 18 Rule 4 of the Code of Civil Procedure, he corroborated on oath the contents of the reply filed by him.

In the cross-examination, he denied that the petitioner had worked continuously from January, 1988 to December, 1988. He also denied that the petitioner had been engaged along-with Tota Ram and Ghanshyam. Further, he denied that the petitioner had regularly worked from April, 1991 to July, 1991. Volunteered that, the petitioner had worked for 30 days in April, 22 days in

May and 22 days in July, 1991. He admitted that the mandays charts of the petitioner Ex.RW1/I and Ex.RW1/B are different. Self stated that Ex.RW1/B had been issued after thoroughly scrutinizing the record of the muster rolls. He specifically denied that the petitioner had worked for 240 days in each calendar year.

13. Ex.RW1/B is the copy of muster roll relating to the petitioner.

14. Ex.RW1/C to Ex.RW1/H are the copies of muster rolls relating the petitioner and others.

15. Ex.RW1/I is the copy of mandays chart pertaining to the petitioner.

16. Ex.RW1/J to Ex.RW1/M are the copies of mandays detail of Shri Tota Ram and Shri Ghanshyam respectively.

17. It is an admitted case of the parties that the services of the petitioner were engaged as a daily waged beldar. However, it is claimed by the petitioner that he had been engaged by the respondent in the year 1987, whereas it is the stand taken by the respondent that the petitioner had been engaged only in the year 1988. No doubt, the petitioner in his substantive evidence maintained that he had been engaged in the year 1987, but the respondent has proved on record his mandays charts as Ex. RW1/I and Ex.RW1/B. They were not disputed by the petitioner at the time when they were exhibited on record by the respondent. A perusal of both these documents discloses that the services of the petitioner were initially engaged on 21st January, 1988 by the respondent. The claimant/petitioner has not placed or exhibited on record any document to show that he was appointed by the respondent in the year 1987, as claimed.

18. The first and foremost point which comes to the fore for determination is whether the petitioner had been disengaged from service or he himself had abandoned the job.

19. It is well known that abandonment has to be proved by the employer like any other fact. Therefore, the burden of proving of abandonment is upon the respondent. It has been laid down by our own Hon'ble High Court in case titled as Narain Singh vs. The State of Himachal Pradesh & Ors., 2016 (3) Him L.R. 1875 that voluntarily abandonment of work by a workman is required to be established by way of cogent and reliable evidence by the employer. Similarly, in case titled as State of Himachal Pradesh & another vs. Shri Partap Singh, 2017 (1) Him L.R. 286, it has been held by our own Hon'ble High Court that abandonment is not to be lightly presumed, but it has to be unequivocally proved by the employer. Simply because a workman fails to report for duty, it cannot be presumed that he has left/abandoned the job. Mere statement of Shri Ashok Kumar Bhopal, (RW1) alleging that the workman had abandoned the services is entirely insufficient to discharge the said onus. Admittedly, no disciplinary proceedings were initiated against the petitioner by the respondent for his alleged willful absence from duty. Absence from duty is a serious misconduct and the principle of natural justice did require that some sort of a fact finding inquiry was got conducted by the respondent. In the present case as it emerges from the evidence on record, so was not done by the respondent. Then, 'animus' to abandon, it is well settled, must necessarily be shown to exist, before a case of abandonment can be said to have been made out. No evidence of any such 'animus' on the part of the petitioner is forthcoming in the present case. Thus, the plea of abandonment put forth by the respondent/employer is not established.

20. Now the question: Whether in terminating the services of the petitioner, the respondent is proved to have violated the provisions of Section 25-F of the Act. The answer, to my thinking, is in the negative in view of the material on record.

21. Section 25-B of the Act defines “continuous service”. In terms of Sub Section (2) of Section 25-B that if a workman during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer 240 days within a period of one year, he will be deemed to be in continuous service. The burden of proof is on the petitioner to show that he had worked for 240 days in the preceding twelve calendar months prior to his alleged retrenchment. In *R.M. Yellatty vs. Assistant Executive Engineer*, (2006) 1 SCC 106, it has been laid by the Hon’ble Supreme Court that the burden of proof is on the claimant to show that he had worked for 240 days in a given year.

22. Applying the principles laid down in the above case by the Hon’ble Supreme Court, it was required of the petitioner to establish on record that he had worked continuously for a period 240 days in a block of twelve calendar months anterior to the date of his alleged termination, which as per the reference took place in the month of August, 1991. No mandays chart of the petitioner is there on the file to establish that he had worked continuously for a period of 240 days in a block of twelve calendar months prior to the date of his alleged termination, as envisaged under Section 25-B of the Act. The petitioner while under cross-examination categorically admitted that there is no document on the file evidencing that he had worked for 240 days or more in a year. It is evident from the mandays chart, Ex.RW1/B that he had only worked for 74 days in the immediate preceding year of his dismissal, which is below the required 240 days of working in the period of twelve calendar months preceding the date of dismissal. It has been laid down by the Hon’ble Supreme Court in case titled as *Mohd. Ali vs. State of Himachal Pradesh and Ors.*, (2019) 1 SCC (L&S) 138 that when the workman had not worked for the required 240 days of working in the period of twelve calendar months preceding the date of dismissal, he is not entitled to take the benefits of the provisions of Section 25-F of the Act. Therefore, the provisions of Section 25-F of the Act are not attracted in this case.

23. The principle of “last come first go” is envisaged under Section 25G of the Act. The said Section provides:

“25-G. Procedure for retrenchment.- Where any workman in an industrial establishment, who is a citizen of India, is to be retrenched and he belongs to a particular category of workmen in that establishment, in the absence of any agreement between the employer and the workman in this behalf, the employer shall ordinarily retrench the workman who was the last person to be employed in that category, unless for reasons to be recorded the employer retrenches any other workman”.

24. It is claimed by the petitioner that at the time of termination of his services, persons junior to him, namely, Shri Tota Ram and Shri Ghanshyam were retained in service by the respondent. However, placed on record by the respondent are the mandays charts of Shri Tota Ram as Ex.RW1/J and Ex.RW1/K. They were not disputed by the petitioner. Their perusal reveals that said Tota Ram was initially engaged by the department on January 21, 1988. As discussed above, the petitioner was also engaged by the respondent on the same date i.e. 21.01.1988. There is nothing on record to show that the petitioner was senior to Shri Tota Ram. As regards the other workman, namely, Shri Ghanshyam, his mandays charts Ex.RW1/L and Ex.RW1/M produced by the respondent are also not in dispute. A glance at these documents discloses that the services of Shri Ghanshyam were initially engaged on 01.01.1988 by the respondent. No document has been placed on record to show that Shri Ghanshyam was junior to the petitioner. This indicates that Shri Ghanshyam was senior to the petitioner. Therefore, it cannot be said that the respondent had violated the principle of ‘last come first go’, as envisaged in Section 25-G of the Act.

25. The petitioner’s allegations that the respondent had violated the provisions of Sections 25-H and 25-N of the Act as well, to my mind, do not appear to have been substantiated. The

petitioner's affidavit Ex.PW1/A as also his cross-examination as PW1 are non-existent in the names of the persons who were allegedly appointed by the respondent after his retrenchment. The material on record, thus, being too scanty and nebulous to lend credence to his allegation that new workers were appointed after the termination of his services, the respondent cannot be said to have been proved to have violated the provisions of Section 25-H of the Act. Also, the allegation of violation of the provisions of Section 25-N of the Act cannot be said to have been established for want of plausible evidence.

26. In view of the discussion and findings aforesaid, the petitioner is held to be not entitled to any relief. Hence, both these issues are decided against the petitioner and in favour of the respondent.

#### ISSUE No. 3

27. Nothing has been brought to my notice by the respondent to show as to how the reference is not maintainable in the present form. The issue under discussion is accordingly decided against the respondent and in favour of the petitioner.

#### ISSUE No. 4

28. In *Ajayab Singh vs. Sirhind Co-operative Marketing-cum- Processing Society Limited and Another*, (1999) 6 SCC 82, it has been observed by the Hon'ble Supreme Court that:

“The provisions of Article 137 of Limitation Act, 1963 are not applicable to the proceeding under the ID Act. The relief under the ID Act cannot be denied merely on the ground of delay. The plea of delay if raised by the employer is required to be proved as a matter of fact by showing the real prejudice and not as a merely hypothetical defence. No reference to the Labour Court can be generally questioned on the ground of delay alone”.

29. In view of the trite laid down in this ruling, it cannot be said that the petition is hit by the vice of delay and laches. Hence, this issue under discussion is decided in favour of the petitioner and against the respondent.

#### RELIEF

30. In the light of what has been discussed hereinabove, while recording the findings on issues supra, the present claim petition merits dismissal and is accordingly dismissed, with no order as to costs. The reference is answered in the aforesaid terms. A copy of this Award be sent to the appropriate Government for publication in the official gazette and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 24th day of December, 2020.

Sd/-  
(YOGESH JASWAL)  
*Presiding Judge,*  
*Labour Court-cum-Industrial,*  
*Tribunal, Kangra at Dharamshala, H.P.*

**AGRICULTURE DEPARTMENT****NOTIFICATION***Shimla-171002, the 4th March, 2021*

**No.Agr.B-C(5)-39/2020.**—The Governor, Himachal Pradesh is pleased to constitute a State Level Committee (SLC) for the implementation of the “Mukhya Mantri Krishi Kosh Scheme 2020 for eligible Farmer’s Producers Organizations (FPOs)—2020”. The composition of State Level Committee is as under:—

1.	Addl. Chief Secretary/Pr. Secretary/Secretary (Agriculture) to the Government of H.P.	<i>Chairman</i>
2.	Addl. Chief Secretary/Pr. Secretary/Secretary (Horticulture) to the Government of H.P.	<i>Member</i>
3.	Addl. Chief Secretary/Pr. Secretary/Secretary (Industries) to the Government of H.P.	<i>Member</i>
4.	Addl. Chief Secretary/Pr. Secretary/Secretary (Animal Husbandry to the Government of H.P.	<i>Member</i>
5.	Addl. Chief Secretary /Pr. Secretary/Secretary (Fisheries ) to the Government of H.P.	<i>Member</i>
6.	Addl. Chief Secretary /Pr. Secretary/Secretary (R.D. ) to the Government of H.P.	<i>Member</i>
7.	Addl. Chief Secretary /Pr. Secretary/Secretary (Co-operation ) to the Government of H.P.	<i>Member</i>
8.	Chief General Manager (CGM), NABARD, Regional Office Shimla.	<i>Member</i>
9.	Registrar Cooperative Societies	<i>Member</i>
10.	Director Land Records (Officer Nominated by the State)	<i>Member</i>
11.	Managing Director, H.P. State Agricultural Marketing Board, Shimla (Officer Nominated by the State).	<i>Member</i>
12.	Manager Lead Bank	<i>Member</i>
13.	Representative of State Rural Livelihood Mission	<i>Member</i>
14.	Representative of NGO	<i>Member</i>
15.	Director , Agriculture, H.P.	<i>Member Secretary</i>

The Chairman can nominate any other Officer/person as member as per requirement.

By order,

Sd/-

*Addl. Chief Secretary*

## राज्य निर्वाचन आयोग हिमाचल प्रदेश

## STATE ELECTION COMMISSION HIMACHAL PRADESH

आमर्जडेल शिमला-171002 Armsdale, Shimla-171002 Tel. 0177-2620152, 2620159, 2620154, Fax. 2620152  
secysec-hp@nic.in

## NOTIFICATION

*Dated, the 10th March, 2021*

**No. SEC(F)1/2019-1951-2162.**—Whereas the State Election Commission had issued the election programme for the conduct of general elections to Panchayati Raj Institutions in the State *vide* Notification No.SEC(F)1/2019-7766-7981 dated 21-12-2020;

And whereas the State Election Commission in obedience of the stay orders issued by the Hon'ble High Court while hearing CWPs No. 5987, 6013 and 6014 of 2020 had directed that the said Election Programme shall not be applicable for the post of Pradhans of Development Blocks Totu and Chopal of district Shimla and Development Block Dharampur of Mandi district;

And whereas above said stay orders now stand vacated;

Therefore, the State Election Commission in exercise of the powers vested in it under Article 243-K of the Constitution of India, Section 160 of the Himachal Pradesh Panchayati Raj Act, 1994 read with Rule 32 of the Himachal Pradesh Panchayati Raj (Election) Rules, 1994, hereby notifies the Election Programme for the conduct of elections of all the Pradhans of Development Blocks Chopal and Tutu of district Shimla and Development Block Dharampur of district Mandi.

The Commission further directs that any casual vacancies occurred in Panchayati Raj Institutions constituted recently shall also be filled as per programme given below:—

1.	Nomination papers shall be presented:	<b>On 22nd, 23rd and 24th March, 2021 (between 11.00 A.M. to 3.00 P.M.).</b> Nomination papers shall be filed at designated places and before the Officers appointed by the District Election Officers (Panchayat)—cum-Deputy Commissioner for the purpose.
2.	The nomination papers shall be scrutinized:	<b>On 25th March, 2021 (From 10.00 A.M. onwards)</b>
3.	A candidate may withdraw his candidature:	<b>On 27th March, 2021 (Between 10.00 A.M. to 3.00 P.M.)</b>
4.	List of contesting candidates showing the name of symbol allotted to them immediately after the time of withdrawal is over shall be prepared and affixed:	<b>On 27th March, 2021 immediately after the time of withdrawal is over.</b>
5.	List of Polling stations shall be published:	<b>On or before 22nd March, 2021</b>
6.	The Poll, if necessary, shall be held from 8.00 A.M. to 4.00 P.M.	<b>7th April, 2021</b>

7.	Counting of votes, in the event of Poll, shall be done	The counting of votes shall be taken up immediately after the close of the poll at the Gram Panchayats Headquarters.
8.	The results of election shall be declared	The results of the election shall be declared immediately after the counting is over.

The election process shall be completed on 09-04-2021.

By order,  
Sd/-  
State Election Commissioner  
Himachal Pradesh.

राज्य निर्वाचन आयोग हिमाचल प्रदेश  
STATE ELECTION COMMISSION HIMACHAL PRADESH  
आर्मसडेल, शिमला-171002, Armsdale, Shimla-171002 Tel. 0177-2620152, 2620159, 2620154, Fax. 2620152  
secy sec-hp@nic.in

#### NOTIFICATION

*Dated, the 10th March, 2021*

**No. SEC. 16-29/2000-I-2165-2602.**—Whereas the State Election Commission has issued election programme *vide* Notification No. SEC(F)1/2019 dated 10th March, 2021 to fill up the posts of Pradhans of Development Block Totu and Chopal of District Shimla and Dharampur Block of District Mandi and up to date casual vacancies occurred in recently constituted Panchayati Raj institutions in the State,

Therefore, the State Election Commission in exercise of the powers vested in it under Article 243K of the Constitution of India and Section 160 of the Himachal Pradesh Panchayati Raj Act, 1994, hereby directs that the Model Code of Conduct as notified by this Commission *vide* Notification No. SEC-16-29/2000-I-3768 dated 03rd November, 2020 shall come into force with immediate effect in the territorial jurisdictions of the Development Block Totu and Chopal of District Shimla and Dharampur Block of District Mandi and in those Panchayats wherein casual vacancies are being filled up till the election process is completed.

By order,  
Sd/-  
State Election Commission,  
Himachal Pradesh.

विधि विभाग

अधिसूचना

शिमला-2, 10 मार्च, 2021

संख्या एल0एल0आर0-डी0(6)-2/2021-लेज.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 200 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए दिनांक 10-03-2021 को अनुमोदित हिमाचल



प्रदेश नगर निगम (संशोधन) विधेयक, 2021 (2021 का विधेयक संख्यांक 2) को वर्ष 2021 के अधिनियम संख्यांक 1 के रूप में संविधान के अनुच्छेद 348 (3) के अधीन उसके अंग्रेजी प्राधिकृत पाठ सहित हिमाचल प्रदेश ई-राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा,

यशवंत सिंह चोगल,  
प्रधान सचिव (विधि)।

## हिमाचल प्रदेश नगर निगम (संशोधन) अधिनियम, 2021

### धाराओं का क्रम

धारा :

1. संक्षिप्त नाम।
2. धारा 2 का संशोधन।
3. धारा 8 का संशोधन।
4. धारा 8अ, 8आ और 8इ का अन्तःस्थापन।
5. धारा 36 का संशोधन।
6. धारा 37 का संशोधन।
7. धारा 45 का संशोधन।

2021 का अधिनियम संख्यांक 1

## हिमाचल प्रदेश नगर निगम (संशोधन) अधिनियम, 2021

(माननीय राज्यपाल महोदय द्वारा तारीख 10 मार्च, 2021 को यथाअनुमोदित)

हिमाचल प्रदेश नगर निगम अधिनियम, 1994 (1994 का अधिनियम संख्यांक 12) का और संशोधन करने के लिए अधिनियम।

भारत गणराज्य के बहत्तरवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो:-

1. **संक्षिप्त नाम.**—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश नगर निगम (संशोधन) अधिनियम, 2021 है।

2. **धारा 2 का संशोधन.**—हिमाचल प्रदेश नगर निगम अधिनियम, 1994 (जिसे इसमें इसके पश्चात् “मूल अधिनियम” कहा गया है) की धारा 2 के खण्ड (37) के पश्चात् निम्नलिखित अन्तःस्थापित किया जाएगा, अर्थात्:—

“(37-क) “राजनैतिक दल” से, लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 29क के अधीन किसी राजनैतिक दल के रूप में भारत निर्वाचन आयोग के पास रजिस्ट्रीकृत भारत के वैयक्तिक नागरिकों का कोई संगम या निकाय अभिप्रेत है;”।

**3. धारा 8 का संशोधन.**—मूल अधिनियम की धारा 8 की उप-धारा (2) के खण्ड (ण) के पश्चात् निम्नलिखित अन्तःस्थापित किया जाएगा, अर्थात्:—

“(ण क) यदि वह किसी सहकारी सोसाइटी का व्यतिक्रमी है;”।

**4. धारा 8अ, 8आ और 8इ का अन्तःस्थापन.**—मूल अधिनियम की धारा 8 के पश्चात् निम्नलिखित अन्तःस्थापित किया जाएगा, अर्थात्:—

**“8अ. दलबदल के आधार पर निरर्हता.**—(1) निगम का निर्वाचन राजनैतिक दलों के दल-प्रतीकों के आधार पर और प्रतीक-मुक्त, ऐसी रीति जैसी विहित की जाए, में करवाए जाएंगे।

(2) कोई व्यक्ति निगम का पार्षद बनने के लिए निरर्हित होगा यदि,—

(क) उसने स्वेच्छा से ऐसे राजनैतिक दल की सदस्यता त्याग दी है; या

(ख) वह उस राजनैतिक दल, जिससे वह सम्बन्धित है या इस निमित्त ऐसे राजनैतिक दल के किसी प्राधिकृत व्यक्ति द्वारा किसी भी दशा में ऐसे दल या प्राधिकृत व्यक्ति की पूर्व अनुज्ञा अभिप्राप्त किए बिना राजनैतिक दल द्वारा जारी किसी निदेश के प्रतिकूल निगम की ऐसी बैठक में मतदान करता है या मतदान करने से प्रविरत रहता है और ऐसा मतदान या प्रविरति, ऐसे मतदान या प्रविरति की तारीख से पन्द्रह दिन के भीतर ऐसे राजनैतिक दल या ऐसे राजनैतिक दल के किसी प्राधिकृत व्यक्ति द्वारा उपमर्षित न की गई हो।

**स्पष्टीकरण.**—इस धारा के प्रयोजनों के लिए निगम का कोई पार्षद राजनैतिक दल से सम्बन्धित समझा जाएगा, यदि उसे ऐसे राजनैतिक दल द्वारा निर्वाचन लड़ने वाले अभ्यर्थी के रूप में निर्वाचन के लिए खड़ा किया गया है।

(3) निगम का कोई पार्षद, जो इस प्रकार प्रतीक-मुक्त आधार पर निर्वाचित किया गया है, निगम का सदस्य होने के लिए निरर्हित होगा, यदि वह ऐसे निर्वाचन के पश्चात् किसी राजनैतिक दल में शामिल हो जाता है।

**8आ. विलय की दशा में दल-बदली के आधार पर निरर्हता का लागू न होना.**—(1) निगम का कोई पार्षद धारा 8अ के अधीन निरर्हित नहीं होगा, जहां उसके मूल राजनैतिक दल का किसी अन्य राजनैतिक दल के साथ विलय हो जाता है और वह दावा करता है कि वह, और उसके मूल राजनैतिक दल का कोई अन्य सदस्य,—

(क) यथास्थिति, ऐसे अन्य राजनैतिक दल या ऐसे विलय द्वारा गठित किसी नए राजनैतिक दल के सदस्य बन गए हैं; या

(ख) विलय को स्वीकार नहीं करता है और पृथक् समूह के रूप में कार्य करने का विकल्प देता है;

और ऐसे विलय के समय से, यथास्थिति, ऐसा अन्य राजनैतिक दल या नया राजनैतिक दल या समूह धारा 8अ के प्रयोजनों के लिए राजनैतिक दल, जिससे वह सम्बन्ध रखता है, का सदस्य समझा जाएगा और यह इस उप-धारा के प्रयोजनार्थ उसका मूल राजनैतिक दल होगा।

(2) उप-धारा (1) के प्रयोजनार्थ, निगम के किसी पार्षद के मूल राजनैतिक दल का विलय केवल तभी हुआ समझा जाएगा यदि निगम में सम्बद्ध मूल दल के दो-तिहाई सदस्यों से अन्यून सदस्यों ने ऐसे विलय के लिए सहमति प्रदान कर दी हो।

**8इ. दल-बदली के आधार पर निरर्हता के प्रश्नों का विनिश्चय.**—यदि कोई प्रश्न उत्पन्न होता है कि निगम का कोई पार्षद धारा 8अ के अधीन निरर्हता के अध्वधीन है, तो ऐसे प्रश्न को निगम के

आयुक्त द्वारा निदेशक, शहरी विकास विभाग के माध्यम से सरकार को निर्दिष्ट किया जाएगा। सरकार, किसी अधिकारी, जो उपायुक्त की पंक्ति से नीचे का न हो, को धारा 8अ के प्रयोजन के लिए दल बदलने के आधार पर निरर्हता के प्रश्न का विनिश्चय करने हेतु प्राधिकृत कर सकेगी। ऐसे प्राधिकृत अधिकारी का विनिश्चय अंतिम होगा।”।

**5. धारा 36 का संशोधन.**—मूल अधिनियम की धारा 36 की उप-धारा (1) के प्रथम परन्तुक के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“परन्तु महापौर का पद अनुसूचित जातियों, अनुसूचित जनजातियों, महिलाओं और अन्य पिछड़े वर्गों के लिए चक्रानुक्रम द्वारा या लॉट द्वारा, ऐसी रीति में जैसी विहित की जाए, आरक्षित रखा जाएगा :”।

**6. धारा 37 का संशोधन.**—मूल अधिनियम की धारा 37 की उप-धारा (2) में, “बहुमत द्वारा हस्ताक्षरित” शब्दों और “आधे” शब्द के स्थान पर क्रमशः “कम से कम दो-तिहाई द्वारा हस्ताक्षरित” और “तीन-चौथाई” शब्द और चिह्न रखे जाएंगे।

**7. धारा 45 का संशोधन.**—मूल अधिनियम की धारा 45 की उप-धारा (1) में,—

(क) “वर्ग-II अधिकारी जिसकी इस रूप में दस वर्ष की सेवा हो, “शब्द, चिह्न और रोमन अंक के स्थान पर “वर्ग-I अधिकारी को” शब्द, चिह्न और रोमन अंक रखे जाएंगे; और

(ख) अन्त में आए चिह्न “।” के स्थान पर “:” चिह्न रखा जाएगा और तत्पश्चात् निम्नलिखित परन्तुक अन्तःस्थापित किया जाएगा, अर्थात् :—

“परन्तु नगर निगम के आयुक्त के रूप में नियुक्त किए जाने वाले किसी अधिकारी का, भारतीय प्रशासनिक सेवा से सम्बन्धित अधिकारियों के लिए सात वर्ष और अन्य सेवाओं से सम्बन्धित अधिकारियों के लिए नौ वर्ष, सेवाकाल अपेक्षित होगा।”।

#### *AUTHORITATIVE ENGLISH TEXT*

### **THE HIMACHAL PRADESH MUNICIPAL CORPORATION (AMENDMENT) ACT, 2021**

#### **ARRANGEMENT OF SECTIONS**

##### *Sections:*

1. Short title.
2. Amendment of section 2.
3. Amendment of section 8.
4. Insertion of sections 8A, 8B and 8C.
5. Amendment of section 36.
6. Amendment of section 37.
7. Amendment of section 45.

**THE HIMACHAL PRADESH MUNICIPAL CORPORATION (AMENDMENT)  
ACT, 2021**

(AS ASSENTED TO BY THE GOVERNOR ON 10<sup>TH</sup> MARCH, 2021)

AN

ACT

*further to amend the Himachal Pradesh Municipal Corporation Act, 1994 (Act No.12 of 1994).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventy-second Year of the Republic of India as follows:—

**1. Short title.**—This Act may be called the Himachal Pradesh Municipal Corporation (Amendment) Act, 2021.

**2. Amendment of section 2.**—In section 2 of the Himachal Pradesh Municipal Corporation Act, 1994 (hereinafter referred to as the “principal Act”), after clause (37), the following shall be inserted, namely:—

“(37-A) “political party” means an association or body of individual citizens of India registered with the Election Commission of India, as a political party under section 29A of the Representation of people Act, 1951 (43 of 1951);”.

**3. Amendment of section 8.**—In section 8 of the principal Act, in sub-section (2), after clause (o), the following shall be inserted, namely:—

“(o-a) if he is a defaulter of any co-operative society;”.

**4. Insertion of sections 8A, 8B and 8C.**—After section 8 of the principal Act, the following shall be inserted, namely:—

**“8A. Disqualification on the ground of defection.**—(1) The election to the Corporation shall be held on the basis of party symbols of political parties and free symbols in the manner as may be prescribed.

(2) A person shall be disqualified for being a Councillor of the Corporation,—

(a) if he has voluntarily given up his membership of such political party; or

(b) if he votes or abstains from voting in such meeting of the Corporation contrary to any direction issued by the political party to which he belongs or by an authorised person of such political party in this behalf, without obtaining, in either case, the prior permission of such political party, or authorised person and such voting or abstention has not been condoned by such political party or authorised person of such political party within fifteen days from the date of such voting or abstention.

**Explanation.**—For the purposes of this section a Councillor of a Corporation shall be deemed to belong to the political party, if he was set up as a contesting candidate for election by such political party.

(3) A Councillor of a Corporation who has been elected on a free symbol as such shall be disqualified for being a member of the Corporation if he joins any political party after such election.

**8B. Disqualification on ground of defection not to apply in case of merger.**—(1) A Councillor of a Corporation shall not be disqualified under section 8A, where his original political party merges with another political party and he claims that he and any other members of his original political party,—

- (a) have become members of such other political party or, as the case may be, of a new political party formed by such merger; or
- (b) have not accepted the merger and opted to function as a separate group;

and from the time of such merger, such other political party or new political party or group, as the case may be, shall be deemed to be the political party to which he belongs for the purposes of section 8A and to be his original political party for the purposes of this sub-section.

(2) For the purposes of sub-section (1), the merger of the original political party of a Councillor of a Corporation shall be deemed to have taken place if, and only if, not less than two-third of the members of the original party concerned in the Corporation have agreed to such merger.

**8C. Decision on questions as to disqualification on ground of defection.**— If any question arises as to whether a Councillor of a Corporation has become subject to disqualification under section 8A, the question shall be referred to the Government by the Commissioner of the Corporation through Director Urban Development Department. The Government may authorise an officer not below the rank of Deputy Commissioner to decide the question of disqualification on the ground of defection for the purpose of section 8A. The decision of such authorised officer shall be final.”.

**5. Amendment of section 36.**—In section 36 of the principal Act, in sub-section (1), for the first proviso, the following shall be substituted, namely:—

"Provided that the office of Mayor shall be reserved for the Scheduled Castes, Scheduled Tribes, Women and Other Backward Classes by rotation or by lots in the manner as may be prescribed.”.

**6. Amendment of section 37.**—In section 37 of the principal Act, in sub-section (2), for the words and sign “not less than majority” and “one-half”, the words and signs “not less than two-third” and “three-fourth” shall be substituted respectively.

**7. Amendment of section 45.**—In section 45 of the principal Act, in sub-section (1),—

- (a) the words and sign “having a service as such of ten years”, shall be omitted; and

- (b) in the end for the sign “.” the sign “:” shall be substituted and thereafter the following proviso shall be inserted, namely :—

“Provided that the required length of service for an officer to be appointed as Commissioner to the Municipal Corporation shall be seven years for the officers belonging to the Indian Administrative Services and nine years for officers belonging to other Services.”.

## शहरी विकास विभाग

### अधिसूचना

शिमला, 10 मार्च, 2021

**सं० यू०डी०-ए०(३)-१/२०२१.**—हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश नगर निगम अधिनियम, 1994 (1994 का अधिनियम संख्यांक 13) की धारा 8क, 10, 31 और 36 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्य निर्वाचन आयोग के परामर्श से, इस विभाग की अधिसूचना संख्या यू०डी०-ए०(३)-७/२०११ तारीख 23-03-2012 द्वारा अधिसूचित और राजपत्र, हिमाचल प्रदेश में तारीख 24-03-2012 को प्रकाशित हिमाचल प्रदेश नगर निगम निर्वाचन नियम, 2012 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं; अर्थात्:—

**1. संक्षिप्त नाम और प्रारम्भ.**—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश नगर निगम निर्वाचन (संशोधन) नियम, 2021 है।

(2) ये नियम राजपत्र (ई-गजट), हिमाचल प्रदेश में प्रकाशन की तारीख से प्रवृत्त होंगे।

**2. नए नियम 10क का अन्तःस्थापन.**—(1) हिमाचल प्रदेश नगर निगम निर्वाचन नियम, 2012 (जिन्हें इसमें इसके पश्चात् 'उक्त नियम' कहा गया है) के नियम 10 के पश्चात् निम्नलिखित नया नियम 10क अन्तःस्थापित किया जाएगा, अर्थात्:—

**“10—(क) अन्य पिछड़ा वर्ग के पार्श्वों के लिए आरक्षण और चक्रानुक्रम.**—(1) अन्य पिछड़ा वर्ग के लिए उनकी जनसंख्या के अनुपात में स्थान आरक्षित किए जाएंगे। जनसंख्या के अधिकतम प्रतिशतता वाले वार्ड में स्थान को उक्त प्रवर्ग के लिए आरक्षित किया जाएगा:

परन्तु यदि अन्य पिछड़ा वर्ग की कुल जनसंख्या सम्बद्ध निगम क्षेत्र में कुल जनसंख्या के पांच प्रतिशत से कम है तो उनके लिए कोई भी स्थान आरक्षित नहीं होगा:

परन्तु यह कि अन्य पिछड़ा वर्ग को आबंटित स्थान आगामी निर्वाचन में परिवर्तित कर दिए जाएंगे और आगामी निर्वाचन के समय वार्ड को अगली अधिकतर प्रतिशतता की जनसंख्या वाले प्रवर्ग के लिए आरक्षित किया जाएगा।

(2) अन्य पिछड़ा वर्ग के लिए आरक्षित स्थानों में से आधे स्थान उक्त प्रवर्ग से संबंधित महिलाओं के लिए आरक्षित होंगे:

परन्तु यदि आरक्षित स्थानों की संख्या एक से अधिक नहीं है तो, यथास्थिति, अन्य पिछड़ा वर्ग से संबंधित पुरुषों या महिलाओं के लिए आरक्षण प्रत्येक पांच वर्ष के पश्चात् अनुकल्पतः (बारी-बारी) से होगा।

(3) नियम 10 के उपनियम (6) के अधीन महिलाओं के लिए स्थान आरक्षित करते समय अन्य पिछड़ा वर्ग से संबंधित महिलाओं के लिए आबंटित स्थानों पर विचार किया जाएगा।

**स्पष्टीकरण.**—अन्य पिछड़ा वर्ग को आरक्षण प्रदान करने के आशय से हिमाचल प्रदेश राज्य पिछड़ा आयोग द्वारा यथा अवधारित और अधिसूचित नवीनतम उपलब्ध जनसंख्या के आंकड़ों के अनुसार विचार किया जाएगा।

**3. नियम 12 का संशोधन—महापौर (मेयर) के पद का आरक्षण और चक्रानुक्रम.**—उक्त नियमों के नियम 12 के उप नियम (1) में;

(क) खण्ड (iv) के पश्चात् निम्नलिखित खण्ड (v) जोड़ा जाएगा अर्थात्.—

“(v) आगामी अढ़ाई वर्षों के दौरान अन्य पिछड़ा वर्ग।”।

(ख) उप नियम (2) के पश्चात् निम्नलिखित रखा जाएगा, अर्थात्:—

“(2) उपनियम (1) में यथाविनिर्दिष्ट आरक्षण का रोस्टर एक चक्र पूर्ण होने के पश्चात् दोहराया जाएगा।”।

**4. नियम 36 का अन्तः स्थापन.**—उक्त नियमों के नियम 35 के पश्चात् निम्नलिखित नियम 36 अन्तःस्थापित किया जाएगा, अर्थात्:—

**“36. प्रतीकों का वर्गीकरण.**—

(1) इन नियमों के प्रयोजन के लिए, प्रतीक या तो आरक्षित होंगे या प्रतीक—मुक्त होंगे।

(2) आरक्षित प्रतीक वह प्रतीक होगा जिसे किसी मान्यता प्राप्त राजनैतिक दल के लिए, उस दल द्वारा निर्वाचन लड़ने वाले खड़े किए गए अभ्यर्थियों को अन्नयतः अनन्य आबंटित किया गया है।

(3) प्रतीक—मुक्त किसी आरक्षित रखे गए प्रतीक से अन्यथा होगा।”।

**5. नियम 43 का अन्तःस्थापन.**—(1) उक्त नियमों के नियम 43 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

**“43. अभ्यर्थियों को चुनाव चिन्हों (प्रतीकों) का आबंटन.**—(1) निर्वाचन लड़ने वाले अभ्यर्थियों की सूची तैयार करने के पश्चात्, यदि अभ्यर्थियों की संख्या एक से अधिक है, तो रिटर्निंग अधिकारी प्रत्येक निर्वाचन लड़ने वाले अभ्यर्थी को—

(क) जहां किसी अभ्यर्थी को वार्ड/निगम में किसी निर्वाचन में किसी राजनैतिक दल द्वारा उम्मीदवार बनाया गया है, तो उसे भारत के निर्वाचन आयोग द्वारा उस दल के लिए आरक्षित प्रतीक आबंटित किया जाएगा; और

(ख) जहां किसी अभ्यर्थी को किसी राजनैतिक दल द्वारा उम्मीदवार नहीं बनाया गया है, तो निर्वाचन लड़ने वाले अभ्यर्थियों की सूची में क्रम संख्या के अनुसार और नियम 35 के अधीन अधिसूचना में विनिर्दिष्ट स्वतन्त्र चुनाव चिन्ह (प्रतीक) की क्रम संख्या के अनुसार अनुमोदित स्वतन्त्र प्रतीक में से स्वतन्त्र चिन्ह (प्रतीक) आबंटित करेगा।

(2) प्रत्येक मामले में जहां उप-नियम (1) के अधीन अभ्यर्थी को निर्वाचन प्रतीक समनुदेशित किया गया है, तो ऐसे अभ्यर्थी को तत्काल उसे इस प्रकार समनुदेशित (दिए गए) निर्वाचन प्रतीक के बारे में सूचित किया जाएगा और उसे रिटर्निंग अधिकारी द्वारा इसका नमूना प्रदान किया जाएगा। उस दशा में, निर्वाचन लड़ने वाले अभ्यर्थियों की सूची में प्रत्येक अभ्यर्थी को आबंटित निर्वाचन प्रतीक भी अंतर्विष्ट होगा।”।

**6. नियम 44 का अन्तः स्थापन.**—उक्त नियमों के नियम 43 के पश्चात् निम्नलिखित नियम 44 अंतःस्थापित किया जाएगा, अर्थात्:—

“44 जब किसी अभ्यर्थी को किसी राजनैतिक दल द्वारा खड़ा किया समझा जाएगा.—इन नियमों के प्रयोजन के लिए किसी अभ्यर्थी को किसी राजनैतिक दल द्वारा खड़ा किया समझा जाएगा, यदि, और केवल यदि—

(क) अभ्यर्थी ने अपने नामांकन पत्र में इस प्रभाव की घोषणा की है; और

(ख) अभ्यर्थिता वापिस लेने के अंतिम दिन को तीन बजे अपराह्न अपश्चात् लिखित में इस प्रभाव का नोटिस रिटर्निंग अधिकारी को परिदत्त कर दिया गया है और उक्त नोटिस दल के राज्य अध्यक्ष या राज्य सचिव अथवा किसी अन्य पदाधिकारी द्वारा हस्ताक्षरित किया गया हो;

परन्तु अध्यक्ष या सचिव अथवा ऐसे अन्य पदाधिकारी को ऐसे किसी नोटिस को भेजने के लिए दल द्वारा प्राधिकृत किया गया हो और ऐसे प्राधिकृत अधिकारी का नाम और नमूना हस्ताक्षर रिटर्निंग अधिकारी और आयोग के सचिव को अभ्यर्थिता वापस लेने हेतु अंतिम तारीख के तीन बजे अपराह्न अपश्चात् संसूचित किए गए हों।”।

**7. नियम 48 का संशोधन.**—उक्त नियमों के नियम 48 के उप-नियम (क) में “दस दिन” शब्दों के स्थान पर “तीस दिन” शब्द रखे जाएंगे।

**8. नियम 49 का प्रतिस्थापन.**—उक्त नियमों के नियम 49 के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:—

“49. मतदान से पूर्व अभ्यर्थी की मृत्यु.—निगम के किसी वार्ड के लिए मतदान प्रत्यादिष्ट हो जाएगा यदि किसी मान्यताप्राप्त राजनैतिक दल द्वारा खड़े किए गए इसके विधिमाम्यतः नामनिर्दिष्ट तथा निर्वाचन लड़ने वाले किसी अभ्यर्थी की मृत्यु हो जाती है और इसकी मृत्यु की रिपोर्ट मतदान के प्रारम्भ होने से पूर्व अभिप्राप्त हो जाती है। ऐसी घटना होने पर रिटर्निंग अधिकारी मृत्यु के तथ्य का समाधान हो जाने पर आयोग को रिपोर्ट भेजेगा और निर्वाचन सम्बंधी कार्यवाहियां सभी प्रकार से नये सिरे से प्रारम्भ की जाएंगी मानो कि इन नियमों के अनुसार नया निर्वाचन हो:

परन्तु मतदान के प्रत्यादिष्ट होने के समय किसी व्यक्ति, यथास्थिति, जो पहले से ही विधिमाम्यतः नामनिर्दिष्ट अभ्यर्थी या निर्वाचन लड़ने वाला अभ्यर्थी था, के मामले में और नामनिर्देशन आवश्यक नहीं होगा।”।

**9. नियम 53 का लोप.**—उक्त नियमों के नियम 53 का लोप किया जाएगा।

**10. नियम 81 का संशोधन.**—(1) उक्त नियमों के नियम 81 के उप-नियम (1) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“(1) निर्वाचित पार्षदों को शपथ दिलाना.—नियम 80 के अधीन पार्षदों के निर्वाचन के सरकार परिणाम घोषित किए जाने के पश्चात् धारा 33 के अधीन निगम के निर्वाचित पार्षद भारत के संविधान की शपथ लेने या निष्ठा का प्रतिज्ञान करने के लिए निगम की प्रथम बैठक हेतु तारीख नियत करेगी:

परन्तु सरकार किसी अधिकारी, जो अतिरिक्त उपायुक्त की पंक्ति से नीचे का न हो, को इस उप-नियम के प्रयोजन के लिए नियत बैठक की अध्यक्षता करने हेतु प्राधिकृत करेगी।

(2) सरकार द्वारा तारीख नियत करने के पश्चात् सरकार द्वारा प्राधिकृत अधिकारी नव-निर्वाचित पार्षदों को प्रथम बैठक के लिए पांच दिन का समय देते हुए लिखित में नोटिस जारी करेगी, किन्तु ऐसा



नोटिस ऐसी बैठक से कम से कम ठीक 48 घंटे पूर्व निर्वाचित (चुने हुए) पार्षदों को परिदत्त किया जाएगा। यह बैठक निगम के कार्यालय में होगी।”।

**11. नियम 81—क का संशोधन.**—उक्त नियमों के नियम 81—क के उप नियम (1) और (2) में,—

“निदेशक” शब्द जहां—जहां आता है; के स्थान पर “प्राधिकृत अधिकारी” शब्द रखे जाएंगे।”।

**12. नियम 81—ख का संशोधन.**—उक्त नियमों के नियम 81—ख में;

“निदेशक” शब्द जहां—जहां आता है; के स्थान पर:

“प्राधिकृत अधिकारी” शब्द रखे जाएंगे।”।

**13. नियम 81—ग का संशोधन.**—उक्त नियमों के नियम 81—ग में;

“निदेशक” शब्द के स्थान पर “प्राधिकृत अधिकारी” शब्द रखे जाएंगे।”।

**14. नियम 81—घ का संशोधन.**—उक्त नियमों के नियम 81—घ में—

(क) उप—धारा (1) में; “निदेशक” शब्द के स्थान पर “सम्बद्ध जिला का उपायुक्त” शब्द रखे जाएंगे; और

(ख) उप नियम (2) में; “निदेशक या इस निमित्त उसके द्वारा प्राधिकृत उसके नियन्त्रणाधीन ऐसा अन्य अधिकारी जो हिमाचल प्रदेश प्रशासनिक सेवा के किसी अधिकारी की पंक्ति से नीचे का न हो,” शब्दों और चिन्ह के स्थान पर “सम्बद्ध उपायुक्त” शब्द रखे जाएंगे;

(ग) उप—नियम (3) में;

“निदेशक या उप—नियम (2) के अधीन निदेशक द्वारा प्राधिकृत ऐसा अन्य अधिकारी” शब्दों और चिन्ह के स्थान पर “सम्बद्ध उपायुक्त” शब्द रखा जाएगा; और

(घ) उप—नियम (4) के पश्चात् निम्नलिखित उप—नियम (5) जोड़ा जाएगा, अर्थात्:—

“(5) यदि अविश्वास प्रस्ताव कार्यान्वित होता है तो सम्बद्ध उपायुक्त तत्काल आयोग, सरकार और निदेशक, शहरी विकास, हिमाचल प्रदेश को सूचित करेगा।”।

**15. नियम 83 का संशोधन.**—उक्त नियमों के नियम 83 में;

“दो” शब्द के स्थान पर “निर्वाचन लड़ने वाले” शब्द रखे जाएंगे।”।

आदेश द्वारा,  
हस्ताक्षरित/—  
प्रधान सचिव,  
(शहरी विकास)।

[Authoritative English text of this Department Notification No. Urban Development Department-A(3)-1/2021 dated 10-03-2021 as required under clause (3) of Article 348 of the Constitution of India.]

## URBAN DEVELOPMENT DEPARTMENT

### NOTIFICATION

*Shimla-2, the 10th March, 2021*

**No. UD-A (3)-1/2021.**—In exercise of the powers conferred by sections 8A, 10, 31 and 36 of the Himachal Pradesh Municipal Corporation Act, 1994 (Act No. 13 of 1994) the Governor, Himachal Pradesh in consultation with the State Election Commission, is pleased to make the following rules further to amend the Himachal Pradesh Municipal Corporation Election Rules, 2012 notified *vide* this Department Notification No. UD-A(3)-7/2011, dated 23-03-2012 and published in the Rajpatra, Himachal Pradesh on dated 24-03-2012, namely:—

**1. Short title and commencement.**—(1) These rules may be called the Himachal Pradesh Municipal Corporation Election (Amendment) Rules, 2021.

(2) These Rules shall come into force from the date of publication in Rajpatra (e-Gazette), Himachal Pradesh.

**2. Insertion of new Rule-10A.**—After rule 10 of the Himachal Pradesh Municipal Corporation Election Rules, 2012 (hereinafter referred to as the “said rules”, ) the following rule 10-A shall be inserted namely:—

**“10-A. Reservation and rotation of seats of Councillors for other Backward Classes.—**

- (1) The seats shall be reserved for Other Backward Classes in proportion of their populations. The seat in ward having highest percentage of population shall be reserved for the said category:

Provided that if the total population of Other Backward Classes in the concerned Corporation area is less than 5 percent of the total population, then no seat shall be reserved for them:

Provided further that the seats allotted to the Other Backward Classes shall be changed in the next election and at the time of following elections, the wards having the next higher percentage of population shall be reserved for that category:

- (2) Out of the seats reserved for Other Backward Classes, one-half of the seats shall be reserved for Women belonging to the said category:

Provided that if the number of seats reserved is not more than one, then there shall be reservation for Women and Men belonging to Other Backward Classes, as the case may be, alternatively after every five years.

- (3) The seats allotted to the women belonging to Other Backward Classes shall be taken into consideration while reserving the seats for Women under sub-rule (6) of rule 10.

**Explanation.**—In order to provide reservation to the other Backward Classes the latest available population figures as determined and notified by the Himachal Pradesh State Commission for Backward Classes shall be considered.

**3. Amendment of rule 12.**—(1) In sub-rule (1) of rule 12 of the said rule,—

(a) after the clause (IV), following clause (V) shall be added, namely:—

"(v) During the next two and half years Other Backward Classes"

(b) after sub-rule (2), the following shall be substituted, namely:—

“(2) The roster of reservation as specified in sub-rule (1) shall be repeated after completion of one cycle.”

**4. Insertion of rule 36.**—(1) After rule 35 of the said rules, the following rule 36 shall be inserted, namely:—

*"36. Classification of symbols.*—(1) For the purpose of these rules symbols will be either reserved or free.

(2) A reserved symbol will be a symbol which is reserved for a recognized political party for exclusive allotment to contesting candidates set up by that party.

(3) A free symbol shall be other than a reserved symbol."

**5. Insertion of rule 43.**—(1) For rule 43 of the said rules, the following shall be substituted, namely:—

*"43. Allotment of symbols to candidates.*—(1) After the list of contesting candidates is prepared, if the number of candidates is more than one, the Returning Officer shall, to every contesting candidates—

(a) where such a candidate is set up by a political party at any election in Ward/Municipal Corporation, allot the election symbol reserved for that party by the Election Commission of India; and

(b) where such a candidate is not set up by a political party, allot the free symbol according to the serial number in the list of contesting candidates, and out of the approved free symbols, in accordance with the serial number of the free election symbols specified in notification under rule 35.

(2) In every case where an election symbol has been assigned to a candidate under sub-rule (1) such candidate shall forthwith be informed of the election symbol so assigned and be supplied with a specimen thereof by the Returning Officer. In that event the list of contesting candidates shall also contain election symbol allotted to each candidate."

**6. Insertion of rule 44.**—After rule 43 of the said rules, the following rule 44 shall be inserted, namely:—

*"44. When a candidate shall be deemed to be set up by a political party.*—For the purpose of these rules, a candidate shall be deemed to be set up by a political party if, and only if—

(a) the candidate has made a declaration to that effect in his nomination paper; and

(b) a notice in writing to that effect has not later than 3.00 A.M. on the last day of withdrawal of candidature been delivered to the Returning Officer and the said notice

is signed by the State President or the State Secretary or any other office bearer of the party; provided the President or Secretary or such other office bearer has been authorized by the party to send such a notice and the name and specimen signatures of such authorized office bearer are communicated to the Returning Officer and to the Secretary of Commission not later than 3.00 P.M. on the last date for the withdrawal of candidature."

**7. Amendment in Rule 48.**—In rule 48 in sub-rule (9) of the said rules, for the words "10 days" the words "thirty days" shall be substituted.

**8. Substitution of rule 49.**—For rule 49 of the said rules, the following shall be substituted, namely:—

*"49. Death of candidate before poll.*—The poll shall be countermanded for the ward of the Corporation, if any of its validly nominated and contesting candidate set up by a recognised political party demises and a report of his death is received before the commencement of the Poll. On such an occurrence, the Returning Officer shall, upon being satisfied of the fact of the death shall send a report to the Commission and proceedings with reference to the election shall be commenced afresh in all respects as if for a new election in accordance with these rules:

Provided that no further nomination shall be necessary in the case of a person who was already a validly nominated candidate or a contesting candidate, as the case may be, at the time of the countermanding of the poll."

**9. Omission of rule 53.**—Rule 53 of the said rules shall be omitted.

**10. Amendment of rule 81.**—(1) For rule 81 of the said rules, the following shall be substituted, namely:—

*"(1) Administration of oath to the elected Councillors.*—After the results of elections of Councillors have been declared under rule 80, the Government shall fix a date for first meeting of the Corporation for making an oath or subscribing an allegiance to the Constitution of India to the elected Councillors of the Corporation under section 33:

Provided that the Government shall authorize an officer not below the rank of Additional Deputy Commissioner to preside over the meeting fixed for the purpose of this sub-rule.

(2) After the fixation of a date by the Government the officer authorized by the Government shall issue a notice in writing to the newly elected Councillors giving five days time for the first meeting, provided that such notice shall be delivered to the elected Councillors atleast 48 clear hours before such meeting. This meeting shall be held at the office of the Corporation."

**11. Amendment of rule 81-A.**—In sub-rule (1) and (2) of rule 81-A of the said rules, the word "Director" wherever occurring shall be substituted by the words "Authorised Officer".

**12. Amendment of rule 81-B.**—In rule 81-B of the said rules, for the word "Director" wherever occurring the words "Authorised Officer" shall be substituted.

**13. Amendment of rule 81-C.**—In rule 81-C of the said rules, for the word "Director" the words "Authorized Officer" shall be substituted.

**14. Amendment of rule 81-D.**—In rule 81-D of the said rules,—

- (a) in sub-rule (1) for the word “Director” the words “The Deputy Commissioner of the District concerned” shall be substituted; and
- (b) in sub-rule (2), for the opening words “The Director or such other officer under his control not below the rank of an Officer of the Himachal Pradesh Administrative Services authorized by him in this behalf” the words “The Deputy Commissioner concerned” shall be substituted.
- (c) In sub-rule (3), for the opening words “The Director or such other officer authorized by the Director under sub-rule (2)” the words “The Deputy Commissioner concerned” shall be substituted; and
- (c) After sub-rule (4), the following sub-rule (5) shall be added, namely:—

“(5) If motion of no-confidence is carried, the concerned Deputy Commissioner shall inform the Commission, the Government and the Director, Urban Development, Himachal Pradesh, immediately.”

**15. Amendment of rule 83.**—In rule 83 of the said rule for the word “two” the word “contesting” shall be substituted.

By order,

RAJNEESH,  
Secretary (UD).

**ब अदालत तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी नूरपुर, जिला कांगड़ा (हि0 प्र0)**

विकास महाजन पुत्र श्री जगदीश, निवासी वार्ड नं0 4, नूरपुर शहर, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) वादी।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना—पत्र नाम दुरुस्ती खाता नं0 350, महाल रामपुरी, मौजा नूरपुर, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0)

प्रार्थी विकास महाजन पुत्र श्री जगदीश, निवासी वार्ड नं0 4, नूरपुर शहर, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना—पत्र गुजारा है जिसमें निवेदन किया है कि उसके दादा का नाम आधार कार्ड व अन्य दस्तावेज में दुनी चन्द पुत्र प्रभदयाल लिखा है, जोकि सही है, परन्तु भू—राजस्व अभिलेख महाल रामपुरी, मौजा नूरपुर के खाता नं0 350 में उसका नाम दीन दयाल पुत्र प्रभदयाल लिखा गया है जो कि गलत है। दीन दयाल पुत्र प्रभदयाल व दुनी चन्द पुत्र प्रभदयाल एक ही व्यक्ति का नाम है।

प्रतिवादी आम जनता को इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि अगर किसी व्यक्ति को उक्त प्रार्थी के दादा का नाम की दुरुस्ती होने पर कोई आपत्ति हो तो वह 20 दिन के अन्दर इस न्यायालय में असातन या वकालतन हाजिर होकर एतराज दायर कर सकता है अन्यथा यह समझा जाएगा कि किसी को नाम दुरुस्ती पर आपत्ति नहीं है। अतः नियमानुसार नाम दुरुस्ती के आदेश जारी कर दिए जाएंगे।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता, प्रथम श्रेणी नूरपुर,  
जिला कांगड़ा (हि0 प्र0)।

ब अदालत तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी नूरपुर, जिला कांगड़ा (हि0 प्र0)

विपन राज पुत्र श्री महन्त राम, निवासी महाल व मौजा सुल्याली, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) वादी।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना—पत्र नाम दुरुस्ती खाता नं0 302, महाल व मौजा सुल्याली, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0)

प्रार्थी विपन राज पुत्र श्री महन्त राम, निवासी महाल व मौजा सुल्याली तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना—पत्र गुजारा है। जिसमें निवेदन किया है कि उसका नाम आधार कार्ड, स्कूल सर्टिफिकेट व अन्य दस्तावेज में विपन राज पुत्र श्री महन्त राम लिखा है जोकि सही है परन्तु भू—राजस्व अभिलेख महाल व मौजा सुल्याली के खाता नं0 302 में उसका नाम विपन कुमार पुत्र श्री महन्त राम लिखा गया है, जो कि गलत है। विपन कुमार पुत्र श्री महन्त राम व विपन राज पुत्र श्री महन्त राम एक ही व्यक्ति का नाम है।

प्रतिवादी आम जनता को इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि अगर किसी व्यक्ति को उक्त प्रार्थी के नाम की दुरुस्ती होने पर कोई आपत्ति हो तो वह 20 दिन के अन्दर इस न्यायालय में असालतन या वकालतन हाजिर होकर एतराज दायर कर सकता है अन्यथा यह समझा जाएगा कि किसी को नाम दुरुस्ती पर आपत्ति नहीं है। अतः नियमानुसार नाम दुरुस्ती के आदेश जारी कर दिए जाएंगे।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता, प्रथम श्रेणी नूरपुर,  
जिला कांगड़ा (हि0 प्र0)।

ब अदालत तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी नूरपुर, जिला कांगड़ा (हि0 प्र0)

सुरजीत कुमार पुत्र श्री रतन चन्द, निवासी महाल व मौजा लखनपुर, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) वादी।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना-पत्र नाम दुरुस्ती खाता नं० 184, महाल व मौजा लखनपुर, तहसील नूरपुर, जिला कांगड़ा (हि० प्र०)

प्रार्थी सुरजीत कुमार पुत्र श्री रतन चन्द, निवासी महाल व मौजा लखनपुर, तहसील नूरपुर, जिला कांगड़ा (हि० प्र०) ने एक प्रार्थना-पत्र गुजारा है। जिसमें निवेदन किया है कि उसका नाम आधार कार्ड, स्कूल सर्टिफिकेट व अन्य दस्तावेज में सुरजीत कुमार पुत्र श्री रतन चन्द लिखा है जोकि सही है परन्तु भू-राजस्व अभिलेख महाल व मौजा लखनपुर के खाता नं० 184 में उसका नाम साहणे पुत्र श्री रतन चन्द लिखा गया है, जो कि गलत है। साहणे पुत्र श्री रतन चन्द व सुरजीत कुमार पुत्र श्री रतन चन्द एक ही व्यक्ति का नाम है।

प्रतिवादी आम जनता को इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि अगर किसी व्यक्ति को उक्त प्रार्थी के नाम की दुरुस्ती होने पर कोई आपत्ति हो तो वह 20 दिन के अन्दर इस न्यायालय में असालतन या वकालतन हाजिर होकर एतराज दायर कर सकता है अन्यथा यह समझा जाएगा कि किसी को नाम दुरुस्ती पर आपत्ति नहीं है। अतः नियमानुसार नाम दुरुस्ती के आदेश जारी कर दिए जाएंगे।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित /—  
सहायक समाहर्ता, प्रथम श्रेणी नूरपुर,  
जिला कांगड़ा (हि० प्र०)।

**ब अदालत तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी नूरपुर, जिला कांगड़ा (हि० प्र०)**

वलवन्त चन्द पुत्र श्री बणिया राम, निवासी महाल पंजाहडा वरसवालां, तहसील नूरपुर, जिला कांगड़ा (हि० प्र०) प्रतिवादी।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना-पत्र नाम दुरुस्ती खाता नं० 160, महाल व मौजा पंजाहडा वरसवालां, तहसील नूरपुर, जिला कांगड़ा (हि० प्र०)।

प्रार्थी वलवन्त चन्द पुत्र श्री बणिया राम, निवासी महाल पंजाहडा वरसवालां, तहसील नूरपुर, जिला कांगड़ा (हि० प्र०) ने एक प्रार्थना-पत्र गुजारा है। जिसमें निवेदन किया है कि उसका नाम आधार कार्ड, स्कूल सर्टिफिकेट व अन्य दस्तावेज में वलवन्त चन्द पुत्र श्री बणिया राम लिखा है जोकि सही है परन्तु भू-राजस्व अभिलेख महाल व मौजा पंजाहडा वरसवालां के खाता नं० 160 में उसका नाम वलवन्त सिंह पुत्र श्री बणिया राम लिखा गया है, जो कि गलत है। वलवन्त सिंह पुत्र श्री बणिया राम व वलवन्त चन्द पुत्र श्री बणिया राम एक ही व्यक्ति का नाम है।

प्रतिवादी आम जनता को इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि अगर किसी व्यक्ति को उक्त प्रार्थी के नाम की दुरुस्ती होने पर कोई आपत्ति हो तो वह दिनांक 20 दिन के अन्दर इस न्यायालय में असालतन या वकालतन हाजिर होकर एतराज दायर कर सकता है अन्यथा यह समझा जाएगा कि किसी को नाम दुरुस्ती पर आपत्ति नहीं है। अतः नियमानुसार नाम दुरुस्ती के आदेश जारी कर दिए जाएंगे।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता, प्रथम श्रेणी नूरपुर,  
जिला कांगड़ा (हि0 प्र0)।

ब अदालत तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी नूरपुर, जिला कांगड़ा (हि0 प्र0)

नरेश कुमारी पत्नी स्व0 श्री सतपाल, निवासी महाल रामपुरी, मौजा नूरपुर, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) वादिया।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना-पत्र नाम दुरुस्ती खाता नं0 170, महाल रामपुरी, मौजा नूरपुर, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0)।

प्रार्थिन नरेश कुमारी पत्नी स्व0 श्री सतपाल, निवासी महाल रामपुरी, मौजा नूरपुर, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना-पत्र गुजारा है। जिसमें निवेदन किया है कि उसकी बेटी का नाम आधार कार्ड, स्कूल सर्टिफिकेट व अन्य दस्तावेज में यामिनी पुत्री श्री सतपाल लिखा है जोकि सही है परन्तु भू-राजस्व अभिलेख महाल व मौजा पंजाहडा वरसवाला के खाता नं0 170 में उसका नाम जामिनी पुत्री श्री सतपाल लिखा गया है, जो कि गलत है। जामिनी पुत्री श्री सतपाल व यामिनी पुत्री श्री सतपाल एक ही व्यक्ति का नाम है।

प्रतिवादी आम जनता को इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि अगर किसी व्यक्ति को उक्त प्रार्थिन की बेटी के नाम की दुरुस्ती होने पर कोई आपत्ति हो तो वह 20 दिन के अन्दर इस न्यायालय में असालतन या वकालतन हाजिर होकर एतराज दायर कर सकता है अन्यथा यह समझा जाएगा कि किसी को नाम दुरुस्ती पर आपत्ति नहीं है। अतः नियमानुसार नाम दुरुस्ती के आदेश जारी कर दिए जाएंगे।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता, प्रथम श्रेणी नूरपुर,  
जिला कांगड़ा (हि0 प्र0)।

ब अदालत तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी नूरपुर, जिला कांगड़ा (हि0 प्र0)

सुरिन्द्र सिंह पुत्र श्री अमर सिंह, निवासी महाल सिम्बली, डाकघर कुखेड़, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) वादी।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना-पत्र जन्म पंजीकरण ग्राम पंचायत ठेहड, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0)



प्रार्थी सुरिन्द्र सिंह पुत्र श्री अमर सिंह, निवासी महाल सिम्बली, डाकघर कुखेड़, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना-पत्र गुजारा है। जिसमें निवेदन किया है कि उसके बेटे अद्वितिय वासू कुमार जिसकी जन्म तिथि 22-04-2006 है का नाम अज्ञानतावश ग्राम पंचायत सिम्बली, तहसील नूरपुर में दर्ज नहीं हो पाया है। जिसके समर्थन में मुख्य चिकित्सा अधिकारी कांगड़ा स्थित धर्मशाला हि0 प्र0 की रिपोर्ट प्रार्थना-पत्र के साथ संलग्न है।

प्रतिवादी आम जनता को इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि अगर किसी व्यक्ति को उक्त प्रार्थी के बेटे का ग्राम पंचायत सिम्बली में जन्म पंजीकरण बारे कोई आपत्ति हो तो वह 20 दिन के अन्दर इस न्यायालय में असालतन या वकालतन हाजिर होकर एतराज दायर कर सकता है अन्यथा यह समझा जाएगा कि किसी को उपरोक्त प्रार्थी के बेटे के जन्म पंजीकरण पर आपत्ति नहीं है। अतः नियमानुसार जन्म पंजीकरण के आदेश जारी कर दिए जाएंगे।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता, प्रथम श्रेणी नूरपुर,  
जिला कांगड़ा (हि0 प्र0)।

**ब अदालत तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी नूरपुर, जिला कांगड़ा (हि0 प्र0)**

सुरिन्द्र सिंह पुत्र श्री अमर सिंह, निवासी महाल सिम्बली, डाकघर कुखेड़, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) वादी।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना-पत्र जन्म पंजीकरण ग्राम पंचायत ठेहड़, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0)

प्रार्थी सुरिन्द्र सिंह पुत्र श्री अमर सिंह, निवासी महाल सिम्बली, डाकघर कुखेड़, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना-पत्र गुजारा है। जिसमें निवेदन किया है कि उसकी बेटी कुमारी मल्लिका शर्वाणि जिसकी जन्म तिथि 22-04-2001 है का नाम अज्ञानतावश ग्राम पंचायत सिम्बली, तहसील नूरपुर में दर्ज नहीं हो पाया है। जिसके समर्थन में मुख्य चिकित्सा अधिकारी धर्मशाला हि0 प्र0 की रिपोर्ट प्रार्थना-पत्र के साथ संलग्न है।

प्रतिवादी आम जनता को इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि अगर किसी व्यक्ति को उक्त प्रार्थी की बेटी का ग्राम पंचायत सिम्बली में जन्म पंजीकरण बारे कोई आपत्ति हो तो वह 20 दिन के अन्दर इस न्यायालय में असालतन या वकालतन हाजिर होकर एतराज दायर कर सकता है अन्यथा यह समझा जाएगा कि किसी को उपरोक्त प्रार्थी की बेटी के जन्म पंजीकरण पर आपत्ति नहीं है। अतः नियमानुसार जन्म पंजीकरण के आदेश जारी कर दिए जाएंगे।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता, प्रथम श्रेणी नूरपुर,  
जिला कांगड़ा (हि0 प्र0)।

**ब अदालत तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी नूरपुर, जिला कांगड़ा (हि0 प्र0)**

रेखा देवी पत्नी श्री अशोक कुमार, निवासी महाल बल्ला बलदून, डाकघर व तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) वादिया।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना—पत्र मृत्यु पंजीकरण ग्राम पंचायत गहीं लगोड, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0)

प्रार्थिन रेखा देवी पत्नी श्री अशोक कुमार, निवासी महाल बल्ला बलदून, डाकघर व तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना—पत्र गुजारा है। जिसमें निवेदन किया है कि उसके ससुर स्व0 श्री आत्मा राम पुत्र श्री सुदामा जिसकी मृत्यु दिनांक 06-05-1970 को हो गई है का मृत्यु पंजीकरण अज्ञानतावश ग्राम पंचायत गहीं लगोड, तहसील नूरपुर में दर्ज नहीं हो पाया है। जिसके समर्थन में मुख्य चिकित्सा अधिकारी कांगड़ा स्थित धर्मशाला हि0 प्र0 की रिपोर्ट प्रार्थना—पत्र के साथ संलग्न है।

प्रतिवादी आम जनता को इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि अगर किसी व्यक्ति को उक्त प्रार्थिन के ससुर का ग्राम पंचायत गहीं लगोड में मृत्यु पंजीकरण बारे कोई आपत्ति हो तो वह दिनांक 20 दिन के अन्दर इस न्यायालय में असालतन या वकालतन हाजिर होकर एतराज दायर कर सकता है अन्यथा यह समझा जाएगा कि किसी को उपरोक्त प्रार्थिन के ससुर के मृत्यु पंजीकरण पर आपत्ति नहीं है। अतः नियमानुसार मृत्यु पंजीकरण के आदेश जारी कर दिए जाएंगे।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता, प्रथम श्रेणी नूरपुर,  
जिला कांगड़ा (हि0 प्र0)।

**ब अदालत श्री भुवनेश कुमार, सहायक समाहर्ता, द्वितीय श्रेणी एवं नायब तहसीलदार, कांगड़ा जिला कांगड़ा (हि0 प्र0)**

मिसल नं0

तारीख दायरा

तारीख पेशी

10-11-2020

26-03-2021

श्री नवीन निश्चल पुत्र श्री कुलभूषण, निवासी वार्ड नं0 6, शक्ति गली कांगड़ा, तहसील व जिला कांगड़ा (हि0 प्र0)।

बनाम

आम जनता

प्रार्थना—पत्र जेर धारा 37(2) भू-राजस्व अधिनियम, 1954 के अन्तर्गत नाम दुरुस्ती करवाने बारे।

प्रार्थी श्री नवीन निश्चल पुत्र श्री कुलभूषण, निवासी वार्ड नं0 6, शक्ति गली कांगड़ा, तहसील व जिला कांगड़ा (हि0 प्र0) ने इस अदालत में नाम दुरुस्ती हेतु प्रार्थना—पत्र प्रस्तुत किया है। प्रार्थी द्वारा आग्रह किया

गया है कि उसका नाम उप-महाल भवन, तहसील व जिला कांगड़ा के राजस्व रिकार्ड में नवनीत कुमार पुत्र श्री कुलभूषण पुत्र बिहारी दर्ज है जो कि गलत है। जबकि अन्य कागजात में प्रार्थी का नाम नवीन निश्चल दर्ज है जो कि सही है। अतः प्रार्थी का नाम राजस्व रिकार्ड में दुरुस्त दर्ज किया जाए।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि इस नाम दुरुस्ती बारे किसी को कोई एतराज है तो अधोहस्ताक्षरी की अदालत में दिनांक 26-03-2021 को प्रातः 11.00 बजे हाजिर आकर अपना एतराज प्रस्तुत कर सकते हैं। निर्धारित अवधि तक एतराज प्राप्त न होने पर प्रार्थना-पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 23-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता प्रथम श्रेणी,  
कांगड़ा, जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री विजय कुमार, सहायक समाहर्ता, प्रथम श्रेणी एवं तहसीलदार कांगड़ा,  
तहसील व जिला कांगड़ा (हि0 प्र0)

मिसल नं0  
02/21/TEH

तारीख दायरा  
18-08-2020

तारीख पेशी  
23-03-2021

श्री प्रीतम पुत्र श्री मसदी राम, निवासी गांव व डाकघर कोहाला, तहसील व जिला कांगड़ा (हि0 प्र0)।

बनाम

आम जनता

प्रार्थना-पत्र जेर धारा 37(2) भू-राजस्व अधिनियम, 1954 के अन्तर्गत नाम दुरुस्ती करवाने बारे।

प्रार्थी श्री प्रीतम पुत्र श्री मसदी राम, निवासी गांव व डाकघर कोहाला, तहसील व जिला कांगड़ा (हि0 प्र0) ने इस अदालत में नाम दुरुस्ती हेतु प्रार्थना-पत्र प्रस्तुत किया है। प्रार्थी द्वारा आग्रह किया गया है कि उसका नाम महाल उपरेहड, मौजा कोहाला, तहसील व जिला कांगड़ा के राजस्व रिकार्ड में प्रार्थी का नाम प्रीतो पुत्र मसदी दर्ज है। जो कि गलत है। जबकि अन्य कागजात में प्रार्थी का नाम प्रीतम चन्द दर्ज है जो कि सही है। अतः प्रार्थी का नाम राजस्व रिकार्ड में दुरुस्त दर्ज किया जाए।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि इस नाम दुरुस्ती बारे किसी को कोई एतराज है तो अधोहस्ताक्षरी की अदालत में दिनांक 23-03-2021 को प्रातः 11.00 बजे हाजिर आकर अपना एतराज प्रस्तुत कर सकते हैं। निर्धारित अवधि तक एतराज प्राप्त न होने पर प्रार्थना-पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता प्रथम श्रेणी,  
कांगड़ा, जिला कांगड़ा (हि0 प्र0)।

**ब अदालत श्री विजय कुमार, कार्यकारी दण्डाधिकारी एवं तहसीलदार, कांगड़ा,  
जिला कांगड़ा (हि0 प्र0)**

मिसल नं0

तारीख दायरा  
16-02-2021

तारीख पेशी  
23-03-2021

श्री ओम प्रकाश पुत्र श्री भगवान दास, निवासी गांव व डाकघर नंदेहड़, तहसील व जिला कांगड़ा

बनाम

आम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म व मृत्यु पंजीकरण करने बारे।

प्रार्थी श्री ओम प्रकाश पुत्र श्री भगवान दास, निवासी गांव व डाकघर नंदेहड़, तहसील व जिला कांगड़ा ने प्रार्थना-पत्र बाबत मृत्यु तारीख पंजीकरण प्रस्तुत किया गया है। प्रार्थी द्वारा आग्रह किया गया कि हलवाई राम पुत्र खजाना राम, निवासी नंदेहड़, तहसील व जिला कांगड़ा की मृत्यु दिनांक 01-09-1977 को हुई थी परन्तु उक्त मृत्यु तारीख ग्राम पंचायत नंदेहड़ के रिकार्ड में दर्ज न हो सकी। अतः उक्त तारीख को दर्ज करने के आदेश जारी किए जाएं।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि उक्त मृत्यु तारीख पंजीकरण बारे किसी को कोई एतराज हो तो दिनांक 23-03-2021 को प्रातः 11.00 बजे इस अदालत में आकर अपना एतराज प्रस्तुत कर सकता है। एतराज प्राप्त न होने की सूरत में प्रार्थना-पत्र पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 23-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-  
कार्यकारी दण्डाधिकारी एवं तहसीलदार,  
जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री विजय कुमार, कार्यकारी दण्डाधिकारी एवं तहसीलदार, कांगड़ा,  
जिला कांगड़ा (हि0 प्र0)

मिसल नं0

तारीख दायरा  
20-02-2021

तारीख पेशी  
23-03-2021

श्री रंजना पत्नी श्री प्रदीप कुमार, निवासी हलेड कलां, तहसील व जिला कांगड़ा (हि0 प्र0)

बनाम

आम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म व मृत्यु पंजीकरण करने बारे।

प्रार्थी श्री रंजना पत्नी श्री प्रदीप कुमार, निवासी हलेड कलां, तहसील व जिला कांगड़ा (हि0 प्र0) ने प्रार्थना—पत्र बाबत जन्म तारीख पंजीकरण प्रस्तुत किया गया है। प्रार्थी द्वारा आग्रह किया गया कि प्रणव कुमार पुत्र श्री प्रदीप कुमार, निवासी हलेड कलां, तहसील व जिला कांगड़ा (हि0 प्र0) का जन्म दिनांक 21-03-2000 को हुआ था परन्तु उक्त जन्म तारीख ग्राम पंचायत हलेड कलां के रिकार्ड में दर्ज न हो सकी। अतः उक्त तारीख को दर्ज करने के आदेश जारी किए जाएं।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि उक्त जन्म तारीख पंजीकरण बारे किसी को कोई एतराज हो तो दिनांक 23-03-2021 को प्रातः 11.00 बजे इस अदालत में आकर अपना एतराज प्रस्तुत कर सकता है। एतराज प्राप्त न होने की सूरत में प्रार्थना—पत्र पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 23-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
कार्यकारी दण्डाधिकारी एवं तहसीलदार,  
जिला कांगड़ा (हि0प्र0)।

#### ब अदालत कार्यकारी दण्डाधिकारी रक्कड़, तहसील रक्कड़, जिला कांगड़ा (हि0 प्र0)

केस नं०	किस्म मुकद्दमा	तारीख दायर	तारीख पेशी
5/NT/20201	विवाह पंजीकरण	12-02-2021	19-03-2021

1. श्री कृष्ण कुमार पुत्र वलवीर सिंह, वासी महाल वसलग, मौजा कलोहा, तहसील रक्कड़, जिला कांगड़ा (हि0 प्र0)।

2. श्रीमती मीनाक्षी पुत्री योग राज, गांव वलाकना, डाकघर जोल नम्बरी, तहसील सुजानपुर, जिला हमीरपुर, हाल पत्नी श्री कृष्ण कुमार पुत्र वलवीर सिंह, वासी महाल वसलग, मौजा कलोहा, तहसील रक्कड़, जिला कांगड़ा (हि0 प्र0)।

बनाम

आम जनता

विषय.—प्रार्थना—पत्र शादी पंजीकरण प्रार्थी श्री कृष्ण कुमार पुत्र वलवीर सिंह, वासी महाल वसलग, मौजा कलोहा, तहसील रक्कड़, जिला कांगड़ा (हि0 प्र0) बाबत दिए जाने आदेश रजिस्ट्रेशन शादी ग्राम पंचायत चौली, तहसील रक्कड़, जिला कांगड़ा (हि0 प्र0)।

प्रार्थना—पत्र शादी पंजीकरण प्रार्थी श्री कृष्ण कुमार पुत्र वलवीर सिंह, वासी महाल वसलग, मौजा कलोहा, तहसील रक्कड़, जिला कांगड़ा (हि0 प्र0) बाबत दिए जाने आदेश रजिस्ट्रेशन शादी ग्राम पंचायत चौली, तहसील रक्कड़, जिला कांगड़ा (हि0प्र0) ने इस अदालत में प्रार्थना—पत्र दायर किया है कि उसकी शादी हिन्दू रीति—रिवाज के अनुसार दिनांक 30-01-2020 को श्रीमती मीनाक्षी पुत्री योग राज, गांव वलाकना, डाकघर जोल नम्बरी, तहसील सुजानपुर, जिला हमीरपुर, हाल पत्नी श्री कृष्ण कुमार पुत्र वलवीर सिंह, वासी महाल वसलग, मौजा कलोहा, तहसील रक्कड़, जिला कांगड़ा (हि0 प्र0) से हुई है। परन्तु यह शादी सहवन गलती के कारण ग्राम पंचायत चौली के रजिस्टर में दर्ज न करवाई गई है, उसने इस शादी को ग्राम पंचायत

चौली में दर्ज करने के लिए अनुरोध किया है। प्रार्थी ने अपनी शादी की पुष्टि में आधार कार्ड प्रार्थीगण, शपथ-पत्र प्रार्थीगण, तलवाना, वकालतनामा तथा अन्य दस्तावेज प्रार्थना-पत्र के साथ दायर करके आवेदन किया है।

अतः इशतहार राजपत्र हिमाचल प्रदेश मुस्त्री मुनादी व चस्पांगी के माध्यम से आम जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि अगर किसी को उपरोक्त विवाह पंजीकरण बारे कोई उजर व एतराज हो तो वह तारीख पेशी 19-03-2021 को सुबह 10.00 बजे इस न्यायलय में असालतन या वकालतन अपना एतराज अधोहस्ताक्षरी के न्यायालय में उपस्थित होकर पेश कर सकता है अन्यथा उपरोक्त विवाह पंजीकरण करने के आदेश दे दिये जाएंगे। उसके उपरान्त कोई उजर/एतराज काबिले समायत न होगा।

आज दिनांक 19-02-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

नोट.—मुस्त्री मुनादी का खर्चा मौका पर दिया जाए।

मोहर।

हस्ताक्षरित /—  
कार्यकारी दण्डाधिकारी,  
रक्कड़, तहसील रक्कड़, जिला कांगड़ा, हि0 प्र0।

ब अदालत श्री मेघना गोस्वामी, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी, तहसील धीरा,  
जिला कांगड़ा (हि0 प्र0)

केस नं० : 2/तह0/2020

तारीख दायरा : 05-01-2021

तारीख पेशी : 23-03-2021

शीर्षक.—श्री सुभाष चन्द्र पुत्र पुन्नू राम, निवासी महाल औचा, तहसील धीरा, जिला कांगड़ा (हि0 प्र0) प्रार्थी।

बनाम

आम जनता

प्रत्यार्थीगण।

विषय.—बराये नाम दुरुस्ती हि0 प्र0 भू-राजस्व अधिनियम, 1954 की धारा 37(3) के अन्तर्गत

प्रार्थी उपरोक्त ने इस अदालत में प्रार्थना-पत्र मय शपथ-पत्र इस आशय से पेश किया है कि उसका सही नाम सुभाष चन्द्र पुत्र पुन्नू राम है जबकि महाल ओच व धीरा, तहसील धीरा, जिला कांगड़ा (हि0 प्र0) के राजस्व अभिलेख में सुभाष सिंह पुत्र पुन्नू राम दर्शाया गया है, जो कि गलत है। अतः महाल ओच व महाल धीरा, तहसील धीरा, जिला कांगड़ा (हि0 प्र0) के राजस्व अभिलेख में उसका नाम दुरुस्त किया जाये।

अतः इस बारे सर्वसाधारण को इस राजपत्र व मुस्त्री मुनादी के द्वारा सूचित किया जाता है कि यदि किसी को उक्त नाम की दुरुस्ती बारे कोई उजर या एतराज हो तो वह दिनांक 23-03-2021 को प्रातः 10.30 बजे असालतन या वकालतन हाजिर अदालत आकर अपना उजर व एतराज पेश कर सकता है। इसके उपरान्त कोई भी उजर या एतराज जेरे समायत न होगा तथा प्रार्थी के नाम दुरुस्ती के आदेश पारित कर दिये जायेंगे।

आज दिनांक 22-02-2021 को मेरे हस्ताक्षर व मोहर सहित अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता प्रथम श्रेणी,  
तहसील धीरा, जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री सुनील चौहान, तहसीलदार एवम् सहायक समाहर्ता प्रथम श्रेणी, थुरल,  
जिला कांगड़ा (हि0 प्र0)

किस्म मुकद्दमा.—दुरुस्ती नाम

तारीख पेशी : 07-04-2021

श्री कुशल सिंह पुत्र श्री वरडू राम, निवासी गांव व डाकघर द्रमण, तहसील जयसिंहपुर, जिला कांगड़ा  
(हि0 प्र0) प्रार्थी।

बनाम

आम जनता

प्रतिवादी।

विषय.—प्रार्थना-पत्र दुरुस्ती नाम राजस्व अभिलेख महाल उमरी, मौजा आलमपुर, तहसील थुरल, जिला कांगड़ा (हि0 प्र0)।

प्रार्थी श्री कुशल सिंह पुत्र श्री वरडू राम, निवासी गांव व डाकघर द्रमण, तहसील जयसिंहपुर, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना-पत्र मय शपथ-पत्र पीठासीन अधिकारी के समक्ष प्रस्तुत करते हुए अनुरोध किया है कि उसकी माता का नाम पंचायत अभिलेख व अन्य दस्तावेज में सत्या देवी दर्ज है व उसकी माता का विख्यात व सही नाम भी सत्या देवी ही है परन्तु राजस्व अभिलेख महाल उमरी, डाकघर कौना, तहसील थुरल, जिला कांगड़ा में उसकी माता का नाम भागो देवी गलत दर्ज हो गया है। अतः प्रार्थी अब अपनी माता का नाम राजस्व अभिलेख महाल उमरी, डाकघर कौना, तहसील थुरल, जिला कांगड़ा में दुरुस्ती करवा करके श्रीमती भागो देवी के बजाए भागो देवी उपनाम सत्या देवी पुत्री श्री जैसी राम दर्ज करवाना चाहता है। अतः प्रार्थी का आवेदन स्वीकार करते हुए इस मुस्त्री मुन्यादी चस्पांगी व इश्तहार अखबारी के माध्यम से आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त प्रार्थी की माता के नाम की राजस्व अभिलेख महाल उमरी, डाकघर कौना, तहसील थुरल, जिला कांगड़ा में श्रीमती भागो देवी के बजाए भागो देवी उपनाम सत्या देवी पुत्री श्री जैसी राम दर्ज करवाने बारे किसी किस्म की आपत्ति या उजर हो तो वह तारीख पेशी 07-04-2021 को असालतन या वकालतन हाजिर अदालत होकर अपना उजर पेश कर सकता है अन्यथा बाद तारीख पेशी किसी किस्म का उजर एवं एतराज नहीं सुना जावेगा व नाम दुरुस्ती का आदेश पारित कर दिया जाएगा।

यह इश्तहार आज दिनांक 25-02-2021 को मोहर अदालत व मेरे हस्ताक्षर से जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता प्रथम श्रेणी थुरल,  
तहसील थुरल, जिला कांगड़ा (हि0 प्र0)।

**ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)**

मिसल नम्बर : 01/2021

श्री खेम चन्द पुत्र दया राम, निवासी गांव व डाकघर धवेहड, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

विषय.—राजस्व रिकार्ड में नाम दुरुस्ती बारे आवेदन—पत्र ।

श्री खेम चन्द पुत्र दया राम, निवासी गांव व डाकघर धवेहड, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन—पत्र मय शपथ—पत्र इस आशय के साथ गुजारा है कि मेरा नाम प्रत्येक कागजात में खेम चन्द पुत्र दया राम ही दर्ज है। लेकिन राजस्व विभाग के रिकार्ड महाल बोछडी, ईलाका वागीथाच, पटवार सर्कल नरायणगढ़ में खेम राज पुत्र दया राम दर्ज हो गया है। जिसको की मैं दुरुस्त करके खेम चन्द पुत्र दया राम ही दर्ज करवाना चाहता हूं।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 17-03-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन—पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 23-02-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—  
सहायक समाहर्ता द्वितीय श्रेणी,  
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

ब अदालत मोहन सिंह, कार्यकारी दण्डाधिकारी एवं नायब तहसीलदार, तहसील सदर मण्डी,  
जिला मण्डी (हि0 प्र0)

मिसल नं0 : /2021

तारीख मजरुआ : 24-02-2021

तारीख पेशी : 24-04-2021

नागेश्वर दत्त पुत्र जरावर पुत्र जेदू, निवासी गांव तुन्धला, डाकघर शिवाबदार, तहसील सदर, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

प्रार्थना—पत्र जेर धारा 37 ता 39 भू—राजस्व अधिनियम, 1954 के अन्तर्गत नाम दुरुस्ती बारे।



नागेश्वर दत्त पुत्र जरावर पुत्र जेटू, निवासी गांव तुन्धला, डाकघर शिवाबदार, तहसील सदर, जिला मण्डी (हि0 प्र0) ने इस अदालत में प्रार्थना-पत्र मय शपथ-पत्र सहित मुकद्दमा दायर किया है कि उसका सही नाम नागेश्वर दत्त है जैसा कि पंचायत रिकार्ड व आधार कार्ड आदि में है लेकिन महाल तुन्धला के राजस्व रिकार्ड में उसका नाम तेज सिंह पुत्र जरावर पुत्र जेटू दर्ज है जोकि गलत है, जिसे सही दर्ज किया जाये।

अतः सर्वसाधारण को इस इश्तहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई एतराज हो तो वह दिनांक 24-04-2021 को असालतन या वकालतन प्रातः 11.00 बजे हाजिर होकर अपना एतराज लिखित या मौखिक पेश कर सकता है निर्धारित अवधि के पश्चात् कोई आपत्ति पर विचार नहीं किया जाएगा।

आज दिनांक 24-02-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

मोहन सिंह,  
कार्यकारी दण्डाधिकारी,  
तहसील सदर, जिला मण्डी (हि0 प्र0)।

